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The Scottish Presbyterian Polity

A Study of its Origins in the Sixteenth Century

By

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PREFACE

THIS study in sixteenth century history was undertaken as a Thesis for the Ph.D. degree in the University of Edinburgh.

I should like to take this opportunity to acknowledge my indebtedness to both Professor James MacKinnon and Professor Hannay of Edinburgh. Professor MacKinnon suggested that I should undertake the inquiry, and as my official supervisor for the Ph.D. degree, has shown me great kindness in expending valuable time on discussing its problems, and in suggesting sources of information. Professor Hannay has been so good as to give me the advantage of his advice upon points which came within his own special sphere of research.

The use which I have made of the published work of other authorities, I have endeavoured to acknowledge as fully as possible in notes to the text itself.

I wish also to acknowledge my obligations to the Carnegie Trust for the Scottish Universities, from which I have received generous financial assistance, both as a scholar, in the expenses of carrying on the research, and as a grantee, in those of publication.

BIRMINGHAM UNIVERSITY,
January 1926.

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INTRODUCTION

Calvin and Knox.

THROUGH the persuasive power of an opinion often repeated, we have become accustomed to the idea that the Scottish Reformation of the sixteenth century was dominated by Genevan Calvinism. A few of the more striking episodes in the career of John Knox have caught the imagination and held it captive. From his exile in Geneva, Knox thundered against Queen Mary of England: on his return to Scotland he denounced the natural gaiety of the young Queen of Scots with typical Calvinistic severity; it was he who was instrumental in making ecclesiastical discipline of the Genevan type an integral part of the constitution of the Scottish Reformed Kirk. For long it seemed a justifiable deduction that Geneva was the source, whence Knox drew all his ecclesiastical ideas of doctrine and of polity, and hence apparently grew up the traditional historical interpretation of the Scottish Reformation. The matter of doctrine we may leave to the theologians. The problem of identifying the sources from which the Scottish reformers drew, in devising the Presbyterian polity of the Reformed Kirk, is a problem in constitutional history.

In historical retrospect, Calvin's Genevan Church stands out as the only Presbyterian Church of the sixteenth century which achieved international importance. Hence it has been assumed that it must have appeared to Calvin's contemporaries as the only worthy Presbyterian model. Because the Calvinism of the seventeenth and eighteenth centuries was uncompromisingly rigid in its demands, an equal inflexibility has been read into Calvin's own personality, and into his undoubted

influence over his followers. It has been forgotten, that circumstances of the moment might lead the reformers of the sixteenth century to regard other attempts at reform as fully worthy of imitation, even though such attempts were of less recognised importance, or less successful in the long-run, than that of Geneva. The brilliance of intellect, and the depth of human sympathy and passionate zeal in Calvin, aroused the devotion of discipleship in many others besides John Knox. And Calvin looked to his followers, not to set up Reformed Churches just such as that in Geneva, where special circumstances had hampered and modified his own ideals, but to carry on and develop the great reforming principles, from devotion to which all his work in Geneva had sprung. He encouraged his followers in adaptability, and set the seal of his approval on work accomplished on lines diverging from those which he himself followed in Geneva.

It seems, then, that it may be necessary to modify our traditional estimate of the predominating influence of Geneva during the years of ecclesiastical reform in Scotland. At least a critical revision of the grounds of our belief must be undertaken. Instead of confining our attention to the Genevan Church, it would seem better to take a wide survey of the constitutional activities of the reformers throughout Europe, and to consider with an open mind what other reforming influences, besides those of Geneva, may have helped to form those ideas, which found expression in the polity which Knox and his fellow-workers gave to the Scottish Kirk.

The Reformed Churches.

In the course of the sixteenth century the Reformation movement gradually became organised within a number of local churches, whose spheres of influence corresponded in the main to the territories of the European States. Thus there appeared the national churches of England and of Scotland, and the reformed church in France. At this time the states later comprised in Germany and Switzerland were still far

behind England, France, and Scotland in the matter of the organisation of a central national government. Hence in these two countries we find the new churches organised rather within the narrower boundaries of the component states. Nevertheless there was a general type of Church constitution common to most of the German States, and a close co-operation among them, which was reflected in the common title of "Lutheran." Among the various Swiss Reformed Churches there was considerable mutual toleration, and a steady advance towards a reconciliation of Zwinglian and Calvinistic tenets, which found expression in the Helvetic Confession of 1566.

The religious agitations which produced these national Reformed Churches were at once diverse and complex in origin. There were two main streams of reformed opinions, one having its source in Germany, and the other in Switzerland. These two movements were inextricably bound up with the new intellectual outlook of the Renaissance. They were further complicated by meeting independent agitations, resulting from social unrest in each country, and in England, Scotland, and Bohemia, by encountering the remnants of a much earlier movement for religious reform—that of Wyclif and Huss.

It is not surprising that the Reformed Churches showed diversity both in doctrine and in constitution. The task of discovering the origins of the ecclesiastical institutions of any one Reformed Church polity is no simple one. In the formation of the new organisations the contemporary political circumstances of each country reacted upon social and religious agitations, already sufficiently complex. The discovery of origins is made the more difficult by the fact that, in spite of mutual repudiation of the principles of one reforming party by the leaders of another, there was a general freemasonry among those of the reformed faith moving from place to place in Europe, escaping from persecution, or travelling to study. This ensured a certain amount of indiscriminate mingling of the Protestants of one country with those of another, and tended to an overflow of opinions beyond party boundaries.

Further, in seeking for the origins of the institutions of the Scottish Reformed Church, the statements of the reformers themselves shed no light of direct evidence on the problem. They stated repeatedly that they had modelled their Church polity solely on the injunctions of the New Testament, uncontaminated by the contrivances of the wit of man. The most cursory examination of the institutions, outlined in either the *First* or the *Second Book of Discipline*, exposes the fallacy of the reformer's contention. Even the less elaborate polity of 1560 has little similarity to the simplicity of the communal organisations of the Apostolic Church,[1] beyond Scriptural warrant for the types of its office-bearers. In those countries which did not retain the hierarchical form of Church government, what actually took place at the time of the Reformation seems rather to have been somewhat as follows: The reformers refused to countenance any offices in the Church other than those for which they could find precedents in the New Testament. Further, a few Scriptural principles, such as those of the priesthood of all believers, and the parity of ministers, were regarded as fundamental by the reformers. The forms of the sixteenth-century Church constitutions were then developed, from attempts to apply these principles in the government of the new reformed churches, under contemporary social and political conditions—attempts carried on with watchful attention to the various ways in which reformers in other countries were solving similar problems of ecclesiastical organisation.

The Scottish Reformed Polity.

It was only towards the end of the sixteenth century, that the Scottish reformed polity assumed a relatively complete and stable form. Until the court of the Presbytery had taken the place of the anomalous office of the Superintendent, the Reformed Church of Scotland could not be considered to have proved itself equal to handling its national task. That form of

[1] Lindsay's *The Church and the Ministry in the Early Centuries.*

the Scottish polity, which recognised the Presbytery as one of the Church Courts, was established by law as the National Church in 1592. Yet political circumstances in Scotland and in England were such, that not till 1689, after a second solemn acknowledgment of their religious rights, were the Scots freely permitted by civil authorities to put that polity into practice. This very fact served to ensure stability to the form which the constitution had taken in 1592. With true human perversity, the longer they were forced to make shift with mutilated versions of their reformed polity, the more devoted the Scottish people became to the theoretical Presbyterian constitution of the Parliamentary Acts of 1592. The experience of the long years, during which their ecclesiastical liberty had been curtailed, contributed to make the satisfaction of Scotsmen the deeper in setting up their rightful Church polity after the Revolution of 1689, and further, gave them a habit of mind rigidly opposed to change and adaptation in ecclesiastical matters.

Thus it came about, that Scottish Presbyterianism has always stood for constitutional principles clearly defined in the ecclesiastical world.

Now reformed Scotland was possessed of an official Church polity as early as 1560. In that year the Privy Council suddenly demanded of the Scottish reformers a written exposition of the Church polity they desired to establish throughout the kingdom. The desire of the reformers was for a polity of the Presbyterian type. But this was a type which had not yet been tested in a Church organised on national lines. The Scottish Reformation was still at the early missionary stage of propaganda, and the reformers had little beyond congregational experience of the new form of Church government to which to turn for guidance in drawing up their constitution. Hence the polity of 1560 very soon proved inadequate for the administration of a Church serving widespread areas. Experience of this inadequacy led to the drawing up of the altered polity of the Second Book of Discipline. This constitution was adapted to the adminis-

tration of an active National Church, while, at the same time, it retained the essential Presbyterian principles of the earlier reformers.

Statement of the Problem.

We must then regard the constitution of 1592 as the completed form of the Scottish reformed polity of the sixteenth century. The purpose of our inquiry is to discover what sources there were, other than the New Testament, whence the Scottish reformers drew their ideas, in constructing that constitution. The Presbyterian polity of 1592 was the result of a gradual development in the constitutional ideas of the reformers, which is represented by ecclesiastical enactments, at first defining the institutions of 1560 in more detail, and later making alterations in the earlier polity and additions to it. It would therefore seem necessary for our purpose, that we should first ascertain the origins of the Church constitution of 1560, and then follow out the later process of development in detail, tracing changes in the original institutions, and ascertaining the origins of the new.

The Course of the Reformation Movement in Scotland.

The Continental Reformation movement of the sixteenth century had spread into Scotland as early as 1525. Here reformed doctrines were accepted more readily, because the new movement had been preceded by a long period of Lollard unrest and agitation. Hence, in studying the Scottish Reformation, with a view to discovering the origins of the Presbyterian polity, the reforming activities of the Lollards must form our starting-point. For the purposes of our survey the Reformation movement in Scotland may be divided into eight periods:—

1. The period of Lollard influence in Scotland appears to have extended from about 1366 to 1525.

2. The period of purely Lutheran influence was short—1525-28.

3. From 1528-1543 the example of the martyr Patrick Hamilton was the dominating influence among Scottish Protestants, and Francis Lambert may have given a Swiss bias to Hamilton's views.

4. From 1543-46 George Wishart carried on his mission in Scotland.

5. In 1547 John Knox ministered to what was apparently the first organised reformed congregation in Scotland, and from that date till 1559 encouraged and guided the Scottish Protestants from England and the Continent.

6. After Knox's return to Scotland, the Reformed Church received its earlier constitution in the First Book of Discipline of 1560.

7. Between 1560 and 1574 the attempt was made to apply the principles of this Book of Discipline in the government of the Scottish reformed congregations. During these years the inadequacy of this hastily compiled constitution became apparent, in spite of fuller definition of its institutions in the *Acts of the General Assembly*.

8. Between 1574 and 1578 a revised constitution was drawn up embodying the new court of the Presbytery. Without waiting for official Parliamentary sanction, the General Assembly began to institute the new courts.[1] It was in effect this modified form of the reformed church polity which was legally established by Act of Parliament in 1592.

Our primary aim, then, in following the course of the Reformation movement in Scotland, will be to ascertain the points at which Presbyterian institutions first appeared, and their sources of origin in this earliest form.

[1] Row's *History of the Kirk of Scotland*, p. 79 (Wodrow Edition), *Acts of the General Assembly*, vol. ii. pp. 549-50, 586-87, 613, 648-49, 668-84, 738.

CHAPTER I

THE INFLUENCE OF EARLY AGITATIONS LEADING TOWARDS ECCLESIASTICAL REFORM IN SCOTLAND

I. Lollardism as a Preparation for the Scottish Reformation of the Sixteenth Century.

THE earliest sign of dissatisfaction with the Roman Catholic Church in Scotland, appears in the maintaining and disseminating of Lollard opinions among the Scottish people in the fourteenth century.

In this connection several problems arise:—

1. How closely was the Scottish propaganda connected with the English and Hussite Lollard movements, and with the Reformation movement of the sixteenth century?

2. What was the nature of the Lollard teaching in Scotland? In how far could this teaching be regarded as a preparation of the Scottish people for the Presbyterian form of Church government, which appeared in Scotland in the Reformation period proper?

3. The records dealing with Scottish Lollardism being very meagre, it seems worth while to look into the principles set forth by Wyclif and his disciple Huss, in order to find out whether these two leaders spread abroad any teaching in regard to the Church other than that in our Scottish records, which could have helped to prepare the way for such a democratic form of ecclesiastical government as the Presbyterian.

Sources of Lollard Propaganda, and its Continuity into the Sixteenth Century.

In regard to the first problem there is a considerable amount of information.

There is evidence that the movement was derived from Wyclifite and Hussite agitations in England and Bohemia, and that Lollard tenets continued to be handed down through a long succession of adherents, until the older agitation became merged in the demands of the sixteenth-century reformers.

Dr Lindsay has pointed out that from 1357 to 1389 safe-conducts were frequently being issued to Scottish students, to enable them to study at English universities,[1] and that from 1364 to 1379 the university almost exclusively chosen was Oxford,[2] where Wyclif had been Master of Balliol, and Lollardy had its centre. There is no documentary proof of a connection between these facts and the spread of Lollardy in Scotland. But since, in 1365 alone, safe-conducts were issued to eighty-one Scottish students going to Oxford, there could hardly be a stronger case for a presumption, that such students spread a knowledge of Lollard principles in Scotland on their return from Oxford. However that may be, by 1398 heresy was sufficiently formidable in Scotland to make it advisable for the King to take an oath at his coronation to suppress it.[3] By 1416 it was a force to be reckoned with at St Andrews, where intending Masters of Arts were required to undertake to defend the Church against Lollards.[4] This early connection of St Andrews with Lollard opinions is significant, in view of the close connection of Fifeshire and St Andrews with the latest phase of the Lollard agitation, and with the early stages of the Scottish Reformation. This part of the land is closely associated with such names as John Andrew Duncan, Henry Balnaves, Patrick Hamilton, George Wishart, and John Knox.

In the fifteenth century there is documentary evidence of two proselytising missions carried on in Scotland, one in 1407,

[1] *Scottish Hist. Review*, April 1904, p. 266. [2] *Ibid.*, 1904, p. 267.
[3] *Act. Parl. Scot.*, vol. i. pp. 572-73.
[4] Hume Brown's *John Knox*, vol. i. p. 46. M'Crie's *Life of Andrew Melville*, vol. i. p. 420.

and one about 1431 or 1432. Bower declares that James Resby, the martyr of Perth, was an English Wyclifite preacher, and well known for his preaching among the laity. Bower adds that there were many Wyclifite books in Scottish hands at this early time.[1]

The issuing and spreading abroad of English tracts, which set forth Wyclif's views or contained translations of parts of the Bible, was an important part of the English Lollard propaganda.[2] Such tracts could have reached Scotland by the hands of the Oxford students, in the scrips of English poor preachers such as Resby, and through the ordinary intercourse of individual Englishmen and Scotsmen across the Border Marches in times alike of war and of truce.

The *Scotichronicon* further records that Paul Craw, who was burnt at St Andrews about 1432, had been sent from Prague in Bohemia expressly to spread the Hussite doctrines in Scotland.[3] These missions, added to the influence of Oxford-bred Scotsmen and of Wyclifite tracts, seem to have been effective, for there is evidence of trouble with heresy all through the fifteenth century. There are recorded prosecutions in 1407,[4] 1422,[5] 1432,[6] and 1494,[7] and of Acts aiming at the suppression of heresy in 1425[8] and 1443.[9]

Lollardism is less prominent in the public records of the first quarter of the sixteenth century. That the heresy had not died out is attested by the facts brought to light by Dr Law in regard to Murdoch Nisbet. The latter is known to have become a Lollard before 1500, to have resided abroad, and also to have instructed in Lollard doctrines those who resorted to him in his hiding-place in Ayrshire, sometime subsequent to 1520.[10]

[1] *Scotichronicon*, vol. ii. pp. 441-42.
[2] Lorimer's *Lechler's John Wiclif and his English Precursors*, vol. ii. pp. 274-75.
[3] *Scotichronicon*, vol. ii. p. 495. [4] *Ibid.*, vol. ii. pp. 441-42.
[5] Knox's *Works* (Laing's Edition), vol. i. p. 5.
[6] *Scotichronicon*, vol. ii. p. 495. [7] Knox's *Works*, vol. i. pp. 7-8.
[8] *Act Parl. Scot.*, vol. ii. p. 7. [9] *Ibid.*, vol. ii. p. 33.
[10] Law's *The New Testament in Scots* (Scottish Text Society), p. xi.

Nisbet's translation of the *New Testament* into Scots is the one great literary monument of Scottish Lollardism.[1]

This same *New Testament in Scots* is an excellent proof of the ease with which the Lollard could and did accept the early Reformation standpoint. Nisbet's translation shows no evidence of the humanistic ideals which led the translators of the Reformation era to take the original Greek and Hebrew as the basis of their work. Nisbet translated from an English Wyclifite version of the Bible.[2] Yet, when Luther's Preface to his New Testament appeared in 1522, Nisbet apparently felt that he could not find a more suitable introduction to his own work, and added it to his version of the Scriptures.[3] Similarly, somewhat later, he adopted in its entirety Tyndale's Prologue to the Epistle to the Romans.[4]

Later, when persecution of Scottish heretics ceased for a time about 1543, we hear that the old man emerged from his hiding-place, and gave his active help to those who were conducting the earlier phases of the New Reformation movement in Scotland.[5]

The history of another Scottish Lollard of the early sixteenth century also illustrates the fact that there is no break between the Lollard and the early Reformation movements in Scotland —that the companies of Lollards were naturally absorbed by the Lutherans and the followers of Patrick Hamilton. It appears that one, John Andrew Duncan, was taken prisoner by the English at the Battle of Flodden, and converted by Wyclifite relations in England to their views. Except for a short stay in Scotland in the next year, he remained in England till 1524. He then settled on his family property in Fife, apparently keeping in close touch with the University of

[1] *Scottish Hist. Review*, April 1904, p. 261.

[2] *Ibid.*, April 1904, p. 261.

[3] *Ibid.*, April 1904, p. 260. Law's *Murdoch Nisbet's New Testament in Scots*, Introduction, p. xv.

[4] *Scottish Hist. Review*, April 1904, p. 260. Law's *Murdoch Nisbet's New Testament in Scots*, Introduction, p. xv.

[5] Law's *The New Testament in Scots* (Scottish Text Society), p. xi.

St Andrews.[1] Patrick Hamilton had returned to St Andrews in 1523 from Paris and Louvaine, where he had adopted humanistic and Lutheran principles.[2] By 1527 these views led to an accusation of heresy, and Hamilton had to flee abroad.[3] Duncan had been in close touch with St Andrews since 1524. As he was a Lollard, we may presume that his friends were among the more advanced thinkers there.[4] In 1528, when Hamilton had returned to Scotland a professed reformer,[5] and was being prosecuted by Archbishop Beaton, Duncan headed an armed attempt to rescue him.[6] During the four years between 1524 and 1528 Duncan's views had apparently developed from those of an English Lollard into those of a militant reformer of the New Protestant type.

Inquiry into the Influence of Scottish Lollard Teaching in regard to Church Government.

In regard to our second problem there is a good deal of specific information about doctrines taught by the Scottish Lollards, in the *Scotichronicon*, which is drawn upon by Knox and later historians. Knox's version gives the material in the most convenient form for study.

He has preserved a record of many of the heresies charged against these fifteenth-century Scottish Lollards,[7] and examination of these charges corroborates the view that the English Wyclifite School was the source of Scottish heresy at this time. Knox says of Paul Craw, "His accusatioun consisted principallye, that he followed Johnne Husse and Wyckleif, in the opinioun of the sacrament, who denyed that the substance of braid and wyn war changed be vertew of any wourdis, or that confessioun should be maid to preastis; or yett prayeris to

[1] *Scottish Hist. Review*, April 1904, p. 270.
[2] Lorimer's *Patrick Hamilton*, p. 44.
[3] *Ibid.*, p. 83. Knox's *Works*, vol. i. p. 15.
[4] Lorimer's *Patrick Hamilton*, p. 55.
[5] Knox's *Works*, vol. i. p. 15.
[6] M'Crie's *Life of Andrew Melville*, vol. i. p. 421.
[7] Knox's *History of the Reformation in Scotland*, vol. i. pp. 6, 8-10.

sanctes departed."[1] Of the accusations brought against the Lollards of Kyle in 1494, the following are typical of English Wyclifite teaching:—

I. Images are not to be worshipped.[2]

II. Relics of Saints are not to be worshipped.[3]

VII. After the consecration in the mass there remains bread, and not the natural body of Christ.[4]

VIII. Tithes ought not to be given to ecclesiastics.[5]

X. Every faithful man or woman is a priest.[6]

XIII. The Pope deceives the people by Bulls and Indulgences.[7]

XVI. Only God pardons.[8]

XXII. Priests ought to have wives according to the constitutions of the law.[9]

XXVII. That faith should not be given to miracles.[10]

XXXII. That the Pope is the Head of the Church of Antichrist.[11]

These Wyclifite tenets, which are known to have been disseminated in Scotland during more than a century prior to the Reformation proper, would appear to have supplied striking doctrinal preparation for the teaching of Hamilton, Wishart, and Knox. Almost all the leading doctrines of the early Reformation period are found to have been taught by these earlier preachers. The Reformation repudiation of the Roman Catholic doctrine of Transubstantiation appears among the heresies charged against Paul Craw and the Lollards of Kyle.[12] Among the main principles of the later Protestant Reformation,

[1] Lorimer's *Lechler's John Wiclif and his English Precursors*, vol. ii. pp. 215-17. Wyclif's *De Ecclesia*, pp. 44-46 (Wyclif Society).

[2] Lorimer's *Lechler's John Wiclif and his English Precursors*, vol. ii. pp. 111-13.

[3] Wyclif's *De Ecclesia*, p. 465.

[4] Lorimer's *Lechler's John Wiclif and his English Precursors*, vol. ii. pp. 215-17.

[5] Wyclif's *De Ecclesia*, pp. 130-31.

[6] Implicit in Wyclif's *De Ecclesia*, pp. 31-32, 36, 42, 43, 576-77.

[7] Wyclif's *De Ecclesia*, pp. 563, 569.

[8] Implicit in Wyclif's *De Ecclesia*, pp. 549, 561, 569, 574, 583.

[9] Lorimer's *Lechler's John Wiclif and his English Precursors*, vol. ii. pp. 128-29.

[10] Wyclif's *De Ecclesia*, p. 45.

[11] Lorimer's *Lechler's John Wiclif and his English Precursors*, vol. ii. pp. 138-39.

[12] Knox's *Works*, vol. i. p. 8, Article VII.

that of the supreme importance of the Scriptures[1] is paralleled in Scottish Lollardism by Nisbet's work in producing his vernacular translation of the Bible,[2] that of the important place of preaching in the life of the Church,[3] by the preaching missions of Resby and Craw, those of justification by faith,[4] and of the priesthood of all believers,[5] by the protests of the Scottish Lollards, "That the Pape and the bischoppes deceave the people by thare pardonis,"[6] and "That everic faythful man or woman is a priest."[7]

Gairdner has shown that Lollardism lived on in England in spite of persecution, and influenced the English Reformation of the sixteenth century.[8] The records of Scottish Lollardism are few and scanty. But they point clearly to English Lollardism as its chief source, and to a keenness among its adherents in Ayrshire and in Fife at least, which prepared their minds for the immediate acceptance of the Reformation doctrines of Hamilton and Wishart.

In regard to the constitutional reorganisation of the Church, on the other hand, so far as our evidence goes, Lollardism seems to have brought forward merely negative destructive principles.[9] The Pope, the Priest, the Church, as constituted in the mediæval hierarchy, were all declared to play no necessary part in the salvation of the individual soul[10]; and an implied priesthood of all believers was the Lollards' only constructive constitutional ideal. Had English and Scottish Lollardism aimed at organising its

[1] Luther's *Primary Works* (Wace and Bucheim), pp. 257-58. Knox's *Works*, vol. ii. pp. 96, 184. Wyclif's *De Ecclesia*, pp. 38-39, 41, 98, 168, 173, 318, 563.

[2] *Scottish Hist. Review*, April 1904, p. 261. Lorimer's *Lechler's John Wiclif and his English Precursors*, vol. i. pp. 332-33.

[3] Luther's *Primary Works*, pp. 257-58. Knox's *Works*, vol. iii. p. 26.

[4] Knox's *Works*, vol. i. pp. 27, 31-35.

[5] Luther's *Primary Works*, p. 166. Knox's *Works*, vol. iii. pp. 25, 70.

[6] Knox's *Works*, vol. i. p. 9, Articles XIII. and XXVI.

[7] *Ibid.*, vol. i. p. 9, Article X.

[8] Gairdner's *Lollardy and the Reformation in England.*

[9] Knox's *History of the Reformation in Scotland*, vol i. pp. 6, 8-10.

[10] Wyclif's *De Ecclesia*, pp. 31-32, 36-37; vol. iv. p. 43.

adherents on these principles in opposition to the Roman Church, there would have appeared in the fourteenth and fifteenth centuries, a religious society interpreting Christianity on the lines followed so disastrously by the Anabaptists of Germany and the Netherlands in the sixteenth century.[1] But the records alike in England and in Scotland show the Lollards as closely following Wyclif's appeal for reform within the Church, and at the same time as so much scattered and so continuously harassed by persecution, that organisation, such as that of a new ecclesiastical polity, was not a matter which called for discussion among them. Clearly then, so far as our evidence goes, there can have been no direct preparation of the Scottish people, through Lollard propaganda, for that particular type of ecclesiastical polity which we recognise in the sixteenth century as Presbyterian. Only in so far as Lollard teaching was markedly anti-hierarchic in tone, can the work of these earlier agitators in Scotland be regarded as indirectly preparing the way for a democratic, in preference to an oligarchic form of ecclesiastical organisation.

The Teaching of Wyclif and Huss in regard to Church Government.

Yet, if the original teaching of Wyclif,[2] and of his imitator, Huss,[3] is known to promulgate principles bearing more explicitly on Church government, than those preserved in our Scottish records, there still remains the possibility of an unrecorded Lollard influence in favour of democratic forms of Church government.

It seemed the more important to investigate this matter, because of Wyclif's doctrinal debt to the earlier Ghibelline writer, Marsiglio of Padua.[4] If Wyclif had adopted from

[1] Wyclif's *De Ecclesia*, pp. 38, 43, 195. [2] *Ibid.*

[3] Cf. *Ibid.*, Introduction by Loserth, pp. xvi., xxvi.

[4] Dunning, *Political Theories*, vol. i. p. 260. Cf. *Defensor Pacis* and *De Ecclesia* in regard to (1) Definition of the Church ; (2) Relation of the Church to the secular magistracy ; (3) The Pope's having no monopoly of granting remission of sins ; and (4) No plenitude of power over other priests ; (5) Supremacy of the Scriptural canons in matters of dispute.

Marsiglio constitutional as well as doctrinal ideas, then Lollardism might have been a possible source, whence democratic principles of Church government could have reached Scotland before the sixteenth century. For, in his *Defensor Pacis*, Marsiglio urged, firstly, that the true Church is the whole body of Christ's faithful followers, lay and clerical,[1] and secondly, that, for the purposes of ecclesiastical government, the proper organisation is a thoroughly representative assembly, made up of lay and clerical delegates, representing the number and character of the several communities of Christendom.[2] An examination of the *De Ecclesia*, however, revealed the fact that, though Wyclif accepted and urged Marsiglio's first proposition,[3] he does not even discuss the desirability of any change in the polity of the Roman Church. This omission on Wyclif's part is the natural outcome of his different interests, as contrasted with those of Marsiglio. Marsiglio was writing as a political partisan, with all his ideas centring round the relationship between Church and Empire, and the curbing of the tyranny of the Roman power in the internal administration of the Western Church. For Wyclif, on the other hand, the immaterial spirit of purity of soul and humility of service,[4] was the matter of supreme importance in the Church of Christ, and consequently he was indifferent to the outward form of Church government. Hence, inquiry into the original teachings of Wyclif and Huss, as a possible source of Lollard influence in Scotland, does not alter the conclusions that have been drawn already from our other contemporary information, *i.e.*, that the Lollard agitation in Scotland was a direct preparation for the doctrinal reformation of the sixteenth century, whereas in regard to ecclesiastical polity, its influence was but slight and indirect. While emphasising the laity's independence of a degenerate hierarchy in seeking salvation, the Lollards hoped

[1] *Defensor Pacis* (Frankfort, 1592), p. 112.
[2] *Ibid.*, pp. 306, 308, 321, 322.
[3] Wyclif's *De Ecclesia*, pp. 1-2, 37, 93, 111.
[4] *Ibid.*, pp. 42-43, 183, 189, 191, 562, 583-85.

to reform the whole Church by spiritual regeneration from within, rather than by any change in the temporal constitution of the Church militant.[1]

II. The Lutheran and South German Influence upon the Scottish People.

The influence of Luther's revolutionary reform movement was early felt in Scotland. This fact would lead us to look for the early development of a reformed church constitution in Scotland. Yet, so far as documentary evidence goes, early Lutheranism and the mission of Hamilton in Scotland did not rise to the constructive level in the matter of a Reformed Church polity. This is largely explained by the very short space of time allowed to the Lutheran influence and Hamilton's mission, before the authorities of State and Church began to suppress the propaganda by force.

Lutheranism in Scotland.

The first evidence of a widespread influence of Luther, as distinct from Lollardism, is the Act of Parliament of 1525, prohibiting the importation of Lutheran books.[2] This prohibition proves that the influence of the new movement had quickly reached Scotland. It is significant of a very considerable amount of Scottish interest in the new religious movement, that within eight years of Luther's first attack on Roman Catholicism,[3] and within five years of the publication of his three great Reformation treatises,[4] such a law as that of 1525 seemed necessary to the authorities. But five years of precarious reading of early Lutheran literature could not produce a movement sufficiently strong to organise its followers in opposition to constituted authorities, in the absence of any inspiring leader, who could give the scattered Scottish Lutherans

[1] Wyclif's *De Ecclesia*, p. 8.
[2] *Act Parl. Scot.*, vol. ii. p. 295.
[3] Lindsay's *History of the Reformation*, vol. i. p. 215.
[4] Luther's *Primary Works* (Wace and Bucheim), p. vi.

a sense of the unity of their beliefs and aims. Organisation of Scottish Lutherans in a new church polity was the less to be expected, in that the early Lutheran literature, like that of the Lollards, concentrated its message on the doctrinal errors of the Church as it was, and passed by the problem of organising a new Church.[1]

Patrick Hamilton.

In these respects, Patrick Hamilton's mission to Scotland in the autumn of 1527 began under quite different auspices. He came direct from the influence of the magnetic personality of Francis Lambert of Marburg.[2] Lambert was a convert of the Swiss School of Reformers, and had already gone far in advance of his teachers, in regard to Church government.[3] Having been called upon to set up a Reformed Church in Hesse,[4] he had given the subject of Church organisation his full consideration. His conception of the organisation of a Church conforming to Scriptural injunctions had been embodied in 1526 in a proposed constitution for the new Hessian Church.[5] The local government of this Church was to be carried on in a most democratic manner, by the members of the congregations themselves,[6] and the central government by a Synod of ministers, visitors, and representatives of congregations, while the Prince and the nobility,[7] the magistracy of the country, were given no *ex-officio* powers of any consequence.[8] The influence of Luther with the Hessian authorities prevented the establishment of this Church polity in Hesse.[9] Still, it is

[1] Lindsay's *History of the Reformation*, vol. i. pp. 402-5. Luther's *Primary Works* (Wace and Bucheim).

[2] Lorimer's *Patrick Hamilton*, pp. 99-100. Knox's *Works*, vol. i. p. 15.

[3] Richter's *Evangelischen Kirchenordnungen des XVI^n Jahrhunderts*, p. 56.

[4] Lorimer's *Patrick Hamilton*, p. 92. Richter's *Evangelischen Kirchenordnungen des XVI^n Jahrhunderts*, p. 56.

[5] Richter's *Evangelischen Kirchenordnungen des XVI^n Jahrhunderts*, pp. 56-59.

[6] *Ibid.*, pp. 61-64. [7] *Ibid.*, pp. 64-65. [8] *Ibid.*, pp. 64-65.

[9] *Ibid.*, p. 56. Lechler's *Geschichte der Presbyt. u. Synodalverfassung.*

presumable that Hamilton, through his intimacy with Lambert in the year following its publication,[1] would become familiar with the Church constitution which he had proposed. Taking into consideration the facts that Hamilton drew the inspiration for his mission to Scotland from Marburg,[2] and that the publishers of the Hessian constitution themselves declared that they hoped that the document would be useful as an example to other reformers,[3] it seems probable that Lambert would discuss with Hamilton the question of Church organisation. However that may be, there is no evidence of any immediate influence of Hesse in constructive work by Hamilton or his immediate followers, in the matter of setting up an organised reformed church in Scotland. During the few short months of his mission Hamilton seems to have hoped against hope for a reformation in Scotland within the Roman Catholic Church itself, or at least for one conducted by reforming Roman Catholic clergy.[4] After his failure to influence the churchmen in favour of reform, at the conference of St Andrews in 1528, Hamilton had only about a month to live.[5] It is little wonder, that during this respite he appears to have concentrated his attention on teaching the main principles of reformed doctrine, and did not make any attempt to group his followers under a new type of polity.

Vigorous persecution followed Hamilton's martyrdom in 1528,[6] and continued with varying severity till 1545, with the exception of a few months in 1543.[7] This persecution did much to scatter those who favoured the reformed cause in Scotland. Many who were unwilling to conform to the Roman Church fled to England and to the Continent.[8] Of those whose

[1] Lorimer's *Patrick Hamilton*, pp. 92-93, 240.
[2] *Ibid.*, p. 240. Knox's *Works*, vol. i. pp. 15, 503.
[3] Richter's *Evangelischen Kirchenordnungen des XVI^n Jahrhunderts*, p. 56. [4] Knox's *Works*, vol. i. pp. 15, 192.
[5] *Ibid.*, vol. i. p. 15. Lorimer's *Patrick Hamilton*, pp. 127, 134.
[6] Knox's *Works*, vol. i. p. 18.
[7] *Ibid.*, vol. i., 44, 48, 52, 56-60, 62-64, 71, 95-96, 117.
[8] *Ibid.*, vol. i. pp. 54-56.

names and later life are known, few returned to Scotland, even after 1560.[1] This state of affairs scattered and discouraged those who might otherwise have become leaders in the Reformation movement in Scotland. But the continuity of the movement is apparent in the records of some of those adherents of the cause in the earlier periods, who were equally zealous supporters of the later reformers. It has already been pointed out, that the lives and work of Murdoch Nisbet, and John Andrew Duncan of Airdrie, are examples of the linking up of the Lollard and Lutheran periods. Several names, which appear prominently during Hamilton's mission, or soon after, continue to be mentioned as sympathisers with the reform movement through the ensuing Wishart period, and on to 1560 —notably John Wynram,[2] John Rough,[3] John Erskine of Dun,[4] Henry Balnaves,[5] the Earl of Arran,[6] and the Earl of Glencairn.[7] Knox,[8] the Wisharts of Pitarrow,[9] the Wedderburns of Dundee,[10] Sir George Douglas of Pittendreich,[11] the Earls of Glencairn,[12] and Cassillis,[13] all avowed themselves to be Protestants as early as the time of Wishart's mission.

Thus up to 1545, there is no evidence that there had been any specific preparation of the Scottish people for any particular form of reformed church government. The purely doctrinal Lutheran influence had been broken into by Hamilton's intimacy with Francis Lambert. Had the need arisen for Hamilton to organise a Church, Lambert's preference for principles of communal church government would almost certainly have influenced Hamilton's constructive policy, and

[1] Knox's *Works*, vol. i. p. 56.

[2] Lorimer's *Patrick Hamilton*, p. 168. Knox's *Works*, vol. i. pp. 36, 150, 194-95.

[3] Knox's *Works*, vol. i. p. 96.

[4] *Ibid.*, vol. i. pp. 59, 132.

[5] *Ibid.*, vol. i. p. 99.

[6] *Ibid.*, vol. i. p. 101.

[7] *Ibid.*, vol. i. p. 72.

[8] *Ibid.*, vol. i. p. 137.

[9] Lorimer's *Patrick Hamilton*, p. 209.

[10] Calderwood's *History of the Church of Scotland* (Wodrow Edition), vol. i. pp. 141-43 ; also Mitchell's Introduction to *The Gude and Godlie Ballatis*.

[11] Knox's *Works*, vol. i. p. 135.

[12] *Ibid.*, vol. i. pp. 72-75, 84, 127.

[13] *Ibid.*, vol. i. pp. 84, 134.

there is a possibility that copies of Lambert's published Hessian Church constitution of 1526 may have found their way into Scotland at this time. But there is no direct evidence of this, nor of Hamilton's ever having discussed the question of Church organisation with his followers—no circumstance in his career called for such discussion—and his published Theses in "Patrick's Places"[1] treat of the purely doctrinal aspects of the Reformation.

At the same time, it may be significant of later constitutional developments, that the Scottish Lollards taught the doctrine that every faithful man or woman is a priest,[2] and that Patrick Hamilton declared at his trial, "There is no mediator betwixt God and man, but Christ Jesus his Son."[3]

From Knox's account of Hamilton's mission in Scotland, it is clear that he strongly emphasised the doctrine of justification by faith,[4] and this again was a tenet antagonistic to the powers claimed by the Roman Hierarchy to grant or withhold absolution. It remained for Hamilton's successors to deduce from such doctrines their logical institutional consequences. In the contemporary saying, "The reik of Maister Patrick Hammyltoun hes infected as many as it blew upoun,"[5] we have an indication that in Hamilton's leadership the Scottish Protestants had learned to recognise their unity of belief and purpose, and that the necessity for some form of organisation must soon be felt.

III. George Wishart, John Knox, and the First Protestant Congregation.

The Constitutional Influence of George Wishart's Mission.

With the opening of Wishart's evangelising mission in the years 1543 to 1545,[6] the Reformation in Scotland in its

[1] Knox's *Works*, vol. i. pp. 19-35.
[2] *Ibid.*, vol. i. p. 9, Article X.
[3] Lorimer's *Patrick Hamilton*, pp. 147-48. Pitscottie's *History of Scotland* (1814 Edition), p. 316.
[4] Knox's *Works*, vol. i. pp. 25-35. [5] *Ibid.*, vol. i. p. 42. [6] *Ibid.*, vol. i. p. 125.

constitutional aspect entered upon a constructive stage. It was not that Wishart appears himself to have undertaken any constitutional organisation of the great congregations, which his preaching drew together. There is no sufficient evidence of such organisation.[1] As in the case of Hamilton, Wishart's career as a preacher was apparently too short to allow of his reaching this culminating point in his mission. But he roused his followers to such a pitch of enthusiasm that the need for some form of organisation very soon became urgent. It was Wishart's immediate followers, John Rough and John Knox, who organised the first Protestant congregation in Scotland in the Castle of St Andrews in 1547.[2]

There is evidence that in doctrine Knox was not a Lutheran in 1547. For Knox himself has quoted Sir James Balfour as claiming in his later life, that he could not have been an adherent of Knox in 1547, *because* he had been brought up in the *Lutheran* opinion of the sacrament.[3] Add to this Knox's testimony, that he had administered the Lord's Table in 1547, "In the same puritie that now it is ministrat in the churches of Scotland, with that same doctrine that he had taught unto thame."[4] It is clear that Knox must have been from the beginning a reformer of the Swiss, as opposed to the Lutheran, school.

Some change must have come about in the views of those favouring religious reform in Scotland since the Anti-Lutheran Act of 1525. The fact that Francis Lambert of Marburg was a convert of the Swiss theologians[5] suggests that Patrick Hamilton may have introduced this change into Scotland. But contemporary accounts of Hamilton's mission[6] refer to him as a Lutheran, and record no distinctively Swiss doctrines. Though this is by no means conclusive evidence against

[1] See end of Thesis.
[2] Knox's *Works*, vol. i. pp. 186-88.
[3] *Ibid.*, vol. i. p. 202.
[4] *Ibid.*, vol. i. pp. 201-202.
[5] Richter's *Evangelischen Kirchenordnungen des XVI^n Jahrhunderts*, p. 56.
[6] Knox, *History of the Reformation in Scotland*, vol. i. pp. 14-35, 507-15. Foxe's *Acts and Monuments, etc.* (1844 Edition), vol. ii. p. 249.

Hamilton's having made some contribution towards this change, yet it seems more probable that the distinctive opinions of the Swiss Protestants had reached Scotland through the preaching of George Wishart—that inspired teacher in whom Knox's early hero-worship centred.

By 1545, the year of Wishart's preaching, Swiss Protestantism had divided into opposing Zwinglian and Calvinistic parties, whose differences were based mainly on questions of Church organisation and discipline. It seems that Wishart must have been a Zwinglian rather than a Calvinistic reformer.

George Wishart is supposed to have travelled on the Rhine, and to have been in Switzerland between 1539 and 1542.[1] 1538 to 1541 were the years of Calvin's exile from Geneva,[2] when Calvin's protest in favour of stern discipline in the Reformed Church was the subject of widespread discussion in the Swiss Rhineland. In view of Wishart's travels in these years, it would be permissible to expect that Calvin's ideas on Church organisation might be reflected in Wishart's teaching in 1545. But there is indirect evidence that such was not the case. Had Wishart sympathised with Calvin's principles, the presumption is that Knox, in 1547, would have been an enthusiast for the Calvinistic Church organisation and ecclesiastical discipline.[3] For it is easy to read between the lines, in Knox's impersonal account of his own part in Wishart's mission,[4] that it was Wishart's teaching and personality that had inspired him with a determination to join the ranks of the reformers. But Knox's lack of interest in the Genevan Reformed Church is attested by his intention, had he not been prevailed upon to enter the Castle of St Andrews, "to have left Scotland and to have visited the schools of Germany (of England then he had no pleasur, be reassone that the Paipes name being suppressed, his lawes and corruptionis

[1] Knox's *Works*, vol. i. p. 159. Rogers' *George Wishart*, p. 17.
[2] *Corpus Reformatorum XXXVIII.*, ii. pp. 190-92.
[3] *Ibid.*, i. (x. i.) pp. 15-30.
[4] Knox's *Works*, vol. i. pp. 125, 139.

remaned in full vigour)."[1] Had Knox at that time been possessed by even a fraction of the admiration which he later evinced for Calvin's Reformation, he would not have regarded Germany as the only desirable place of refuge. The purpose of studying in the schools of Germany was not, however, inconsistent with holding the reformed principles of Northern Switzerland. For one of Zwingli's great unfulfilled hopes was for a union of the Zwinglian and Lutheran Churches.[2] From these considerations it seems permissible to draw the conclusion that it was the Zwinglian aspect only of the Swiss Reformation which influenced George Wishart,[3] and through him John Knox of the St Andrews Castle Congregation. This view is borne out by Knox's account of this congregation.[4]

Wishart had left behind him, in one publication which is known to be his, a guiding outline, on the basis of which it would be possible for the informal gatherings of those of the reformed persuasion to organise themselves into congregations. This publication was a translation of the Helvetic Confession.[5] The translation sketches a Zwinglian Church, without reference to the Eldership, the exercise of discipline in the Church being placed in the hands of the minister,[6] supported by the magistracy.[7] In a comparison of Knox's description of the St Andrews Church with the principles of Church government laid down in Wishart's Helvetic Confession, there appears evidence of the predominating influence of Wishart's teaching in this first organisation of a Scottish reformed congregation.

The St Andrews Congregation of 1547.

In Knox's scanty account of the short-lived St Andrews Congregation of 1547,[8] no influence of Calvin is apparent.

[1] Knox's *Works*, vol. i. p. 185.
[2] Lindsay's *History of the Reformation*, vol. i. pp. 352-53.
[3] M'Ewen's *History of the Church in Scotland*, vol. i. p. 476-77.
[4] Knox's *Works*, vol. i. pp. 186-88.
[5] Rogers' *George Wishart*, pp. 17, 63-73.
[6] *Ibid.*, p. 69. [7] *Ibid.*, p. 72. [8] Knox's *Works*, vol. i. pp. 186-88.

Knox's insistence in his own case on a vocation to the ministry by an officiating preacher, with the support of the congregation, was strictly in accord with the Helvetic Confession.[1] No mention of the office of Elder is made by the Helvetic Confession; neither apparently was there any appointment of elders in the St Andrews Congregation at this time. The St Andrews Congregation was in conflict with the magistracy of the land. Hence, necessarily, the important function assigned by the Helvetic Confession to the State, in Church affairs,[2] finds no place in the Scottish Congregation. In the absence of further information, the presumption is that ecclesiastical discipline was either unexercised or was left in the hands of the ministers. This latter course would be quite in accordance with the importance attached by the Helvetic Confession to the office of Minister in the Church.

Conclusion in regard to the Constitutional Influences of Agitations for Reform in Scotland up to 1547.

Thus, as far as the evidence of his own *History* goes, Knox does not appear to have introduced the essentials of a Presbyterian Church organisation in his first mission in 1547. Beyond the fact that the general lines of the early Reformation teaching in Scotland had been anti-hierarchic, it appears that the origins of the Presbyterian Church polity are not to be found in the Reformation movement in Scotland up to the year 1547.

[1] Rogers' *George Wishart*, p. 68. [2] *Ibid.*, p. 72.

CHAPTER II

THE FIRST PHASE IN THE DEVELOPMENT OF THE SCOTTISH REFORMED POLITY—THE ORIGINS OF THE ECCLESIASTICAL POLITY OF 1560.

I. The Reform Movement in Scotland from 1549 to 1558.

The Church of 1558.

THE next endeavour "to have the face of a church" amongst Protestants in Scotland was made in 1558. Knox relates that, "We sought open crimes to be punished without respect of persone. For that purpose, by common electioun, were elders appointed, to whome the hole brethren promised obedience: for at that tyme we had na publict ministeris of the worde."[1] This is a process quite different from that of 1547, when the whole congregational organisation was centred in the minister, and the exercise of discipline was not mentioned. How had this change in the organisation of Scottish reformed congregations come about?

Reforming Influences reaching Scotsmen between 1547 *and* 1560.

The answer to this question must be sought in the history of Scottish Protestantism in the intervening years. Apart from religious propaganda by hostile English armies between 1547 and 1549,[2] Protestantism was kept alive in Scotland from 1548 to 1558, principally by preaching and exhortation emanating from two Scottish exiles in England—John Knox and John Willok.

[1] Knox's *Works*, vol. i. p. 300. Cf. also *Ibid.*, vol. i. pp. 256, 275-76, 300; vol. ii. p. 151.

[2] M'Ewen's *History of the Church in Scotland*, vol. ii. pp. 19-20.

Between 1549 and 1553 many Scotsmen frequented the English congregations to which, in his exile, Knox ministered in Berwick, Newcastle, and the Borders.[1]

From March 1551, for some time, John Willok carried on a preaching campaign under the Marquess of Dorset in the Border Counties of Scotland.[2]

Between 1555 and 1556 William Harlaw, Willok, and Knox carried out a preaching tour in Scotland.[3]

In 1558, in October, Willok returned to Scotland to preach.[4]

In May 1559, Knox returned finally to Scotland.[5]

Knox the Dominating Influence.

Knox and Willok were evidently the dominating influences of this transition period.[6] Of the two, Knox was the better known in Scotland, on account of the leading part he had taken in 1547. Accordingly it was Knox who wrote epistles of exhortation and warning to the Scottish Protestants during his years of continental exile, while Queen Mary reigned in England;[7] and it was Knox's presence, which the Lords of the Congregation felt to be essential to the success of the militant reformed cause in Scotland[8] in 1559. Add the leading part which Knox assumed politically[9] and in purely ecclesiastical matters,[10] from the moment of his final return in 1559, and it appears that Knox's influence was by far the greater of the two.[11]

[1] Knox's *Works*, vol. i. p. 231. Lorimer's *John Knox and the Church of England*, pp. 77-78, 80-81, 98. *Parker Society's Letters relative to the English Reformation*, vol. ii. p. 429.

[2] *Parker Society's Letters relative to the English Reformation*, vol. ii. pp. 428, 431.

[3] Knox's *Works*, vol. i. p. 245.

[4] *Ibid.*, vol. i. p. 256.

[5] *Ibid.*, vol. i. p. 318.

[6] Wodrow's *Lives of the Reformers of the Church of Scotland*, pp. 101, 103, 105.

[7] Knox's *Works*, vol. iii. p. 1; vol. iv. pp. 129, 259-76, 423, 461, 521.

[8] *Ibid.*, vol. i. pp. 267, 274.

[9] *Ibid.*, vol. i. pp. 326, 441-43; vol. ii. pp. 15-43.

[10] *Ibid.*, vol. i. pp. 338-39, 343-44; vol. ii. pp. 92, 128.

[11] Hume Brown's *John Knox*, vol. ii. p. 261; vol. ii. pp. 6-18.

Development of Knox's Opinions.

It has been shown that it seems unlikely, as far as historical evidence goes, that Knox was a Calvinist in constitutional matters in 1547, but that by 1558 he had apparently adopted Calvinistic views in regard to the eldership and church discipline. Thus it becomes of interest to inquire whether there is any evidence that Knox was one whose ideas were liable to change or develop during this period.

There are a couple of passages among his own writings, in which Knox admits that he had much to learn after he had become a reformer—that is after 1547—and that before 1555 on one important matter he had changed his opinion—that of the acceptability of the English Prayer Book. In his "Faithful Admonition to the Professors of God's Truth in England" (1554) he wrote, "To be plain my own conscience beareth record to myself how small was my learning, and how weak I was of judgment when Christ Jesus called me to be His Steward; and how mightily, day by day, time by time, He multiplied His graces with me, if I should conceal, I were most wicked and unthankful."[1]

In the sermon by Knox in Frankfort, on Dr Cox's interference with arrangements previously settled (1555), he said, ". . . by . . . deeper consideration . . . I was driven away from my first opinion" (of the English Prayer Book). . . . "Therefore I could not agree that their Book should be of our Church received . . ."[2]

Knox as a Presbyterian.

The historical facts, on which to found a judgment of the two Scottish Protestant organisations of 1547 and 1558, are few, and inconclusive. Such as they are, they suggest the change of type already pointed out. The fact that Knox's was the dominating influence among Scottish Protestants during the intervening years, and his own testimony to his having

[1] Knox's *Works*, vol. iii. p. 269. [2] *Ibid.*, vol. iv. pp. 43-44.

borne an open mind, and learnt much during his exile, corroborate the theory that 1558 rather than 1547 is the earliest date which can be assigned to the organisation of Scottish Protestants on lines typical of later Scottish Presbyterianism. There is the further corroborative fact, that Knox himself, whose opinions were already so influential in Scotland, does not seem to have been a Presbyterian, as distinct from a Protestant, prior to 1554. Up to that date, he had ministered to the apparently Zwinglian Congregation at St Andrews, and to several congregations in England under the established hierarchical type of Church government.[1] Knox has enumerated the points upon which he held himself free to act differently from the established polity in England. When called to account before the Privy Council in 1553, he declared, "No minister in England had authority to separate the lepers from the whole, which was a chief point of his office."[2] In a sermon at Frankfort, he said, "I reproved this opinion" (that religion had been brought to perfection in England) ". . . by the lack of discipline, . . . by the trouble that Mr Hooper sustained for the rochet and such trifles, . . . and for that one man was permitted to have . . . five benefices."[3] These criticisms of the English Church government do not arise from an essentially Presbyterian standpoint. Presbyterian reformed churches have emphasised the need for the exercise of ecclesiastical discipline, but not by the minister alone. The essentially Presbyterian institution of the representative eldership, sharing the ministers' responsibilities, was not suggested in Knox's criticism of the Church which he had served for nearly five years.

The year 1555 is the earliest date at which there is proof that Knox had accepted the Presbyterian form of Church government. In the organisation of the English Church at Frankfort, "2 or 3 ministers of like authority,"[4] "Deacons,"[5] "Seniors,"[6] and the institution of ecclesiastical discipline,[7] are

[1] Knox's *Works*, vol. i. p. 231. [2] *Ibid.*, vol. iii. p. 86.
[3] *Ibid.*, vol. iv. pp. 33, 44. [4] *Ibid.*, vol. iv. pp. 3, 12-13.
[5] *Ibid.*, vol. iv. p. 1. [6] *Ibid.*, vol. iv. pp. 41-42. [7] *Ibid.*, vol. iv. pp. 19, 33.

spoken of in the two contemporary accounts of the "Troubles" during Knox's ministry. From this time onwards, all the churches which Knox served were organised on the Presbyterian basis.[1]

The Conditions of the Problem.

After the meagre indication given by Knox that the process of organising Presbyterian congregations was proceeding in 1558, we hear no more details of their administration until they emerge into the light of history in the much more complex form of the proposed Scottish Kirk of the *First Book of Discipline* in 1560.

There is no contemporary admission that other churches of the time were used as models from which to construct this new reformed church in Scotland. Like the Swiss reformers of the sixteenth century, the Scottish reformers claimed the primitive Church described in the New Testament as their model.[2] Yet it must be borne in mind that Calvin himself, while recommending a desirable procedure to be followed in choosing ministers, wrote in his *Institution de la Religion Chrêtienne*—"Mais il fault prendre conseil selon l'opportunité du temps, les mœurs du peuple, et autres circonstances."[3] Naturally, as one reforming leader after another had faced the problem of translating the New Testament picture into a Church organisation suited to his time and country, each had taken into consideration the work already accomplished in this direction, and could not but be influenced by the example of those with whom he found himself most in sympathy. There is an instance of a reformer working in this frame of mind in the Polish refugee, John a'Lasco, who drew up a polity in 1551 for the Church of the Foreigners in London. A'Lasco assured the readers of the published constitution in

[1] Knox's *Works*, vol. iv. pp. 174-78, 203-7. The Davals' *Hist. de la Réformation à Dieppe* (edited by Lesens, 1878). Hume Brown's *Knox*, vol. i. pp. 216-21.

[2] Knox's *Works*, vol. ii. p. 184.

[3] Calvin's *Institution de la Religion Chrêtienne* (edited by Lefranc Chatelain and Pannier, 1911), vol. ii. p. 695.

his Preface, that, "We have striven our utmost in our churches for this" (*i.e.*, a Scriptural Church polity), "having taken an example from the Genevan Church and the Church of the Foreigners in Strassburg."[1] Further, a'Lasco's Church polity is expressly stated in its Preface to be intended as an example to be followed by other reformers.[2] Again, that the true Church should constitute one visible corporate body, was a principle which greatly exercised the minds of the Swiss reformers, and was a further incentive to constitutional unity. It led to various attempts to maintain some form of unity among the many types of Protestant Church organisation in Germany and Switzerland,[3] through uniformity of doctrine, liturgy, or constitution. Hence the meetings of Zwingli and Luther at Marburg in 1529,[4] the Synods of Arau and Bâle and St Gall, etc., in 1530,[5] and the origin of the dispute at Geneva over the Bernese Usages in 1538.[6]

Knox's Study of Reformed Church Constitutions.

Two passages in Knoxian literature show that, when organising smaller bodies of Protestants, Knox was one of those who carefully considered what had already been accomplished in the reformed churches. In writing of the Proceedings of the English Congregation at Frankfort while he was with them, Knox used the following words: "I would have had it agreeable in outward rites and ceremonies with Christian Churches reformed."[7] In the preparation of the Church Order of the English Church at Geneva, Knox is known to have taken a leading part,[8] and statements made in that document may be regarded as in agreement with his own opinions. In the Preface to the edition of 1556, the compilers claim that, as a

[1] Kuyper's *Johannis a'Lasco Opera*, vol. ii. p. 50.
[2] *Ibid.*, vol. ii. pp. 10, 14, 34.
[3] Ruchat's *Hist. de la Réformation de la Suisse*, vol. ii. p. 360.
[4] *Ibid.*, vol. ii. pp. 142-43, 155.
[5] *Ibid.*, vol. ii. pp. 219-23.
[6] *Ibid.*, vol. iv. p. 452.
[7] Knox's *Works*, vol. iv. p. 42.
[8] *Ibid.*, vol. iv. pp. 146-48.

part of their function, they examined the earlier reforming literature on the subject. "It remayneth last of all that you understande the reasons which movede us to chuse owte and followe this Catechisme of Geneva rather than any other . . . we could fynde none *in so great a nombre* which either for the facilitie is equall, or els for the perfection to be compared. . . . Moreover the daungers which hang over Christes Church in these daies moved us verie muche. . . . So there is no better preservation against the same, then if all godly churches wolde agree in one kinde of doctrine and confession of faith, which in all points were agreeable to God's Holy Worde, that our posteritie might be confirmed, by the universall example of Christes Churche against all heresies persecutions and other daungers. . . ."[1] In the latter part of this quotation the compilers touch upon another compelling reason for considering the work of their predecessors in reform—the pressing need for presenting to Roman Catholicism, if possible, a united front, and to their converts a common message.

On one other point we have definite information. Knox has told us in his *History* that the *First Book of Discipline* of 1560 was drawn up by a committee of six Scottish reformers —John Winram, John Spottiswoode, John Willok, John Douglas, John Row, and John Knox.[2]

The Method to be followed in attacking the Problem.

It has been pointed out that it was mainly the activities of Knox and Willok which kept alive the flame of reforming zeal in Scotland from 1549-58; that Knox was the dominant figure in the constructive work of the Reformation in Scotland in 1560; and that there is no direct or external evidence that the Scottish ecclesiastical polity of that year had any other source than the injunctions of the New Testament. In order to ascertain whether there were not before the minds of the Scottish reformers other models, more nearly allied to their

[1] Knox's *Works*, vol. iv. p. 167. [2] Knox's *History*, vol. ii. p. 128.

own time and circumstances, the inquirer is thrown back upon internal evidence, direct or indirect, in the Scottish Church polity itself. The suggestion arises that it would be possible to look into the Scottish Church constitution drawn up in 1560, and to compare it with the polities of other Churches, with which it may be known that leading Scottish reformers had come into contact, prior to their work in Scotland in 1560, It seems probable that internal evidence of the moulding influence of these other ecclesiastical constitutions might be forthcoming in the course of such a comparison.

II. The Earlier Ecclesiastical Experience of the Scottish Reformers.

Types of Reformed Church Polities.

Among the new Protestant Churches of the Reformation era, there was much difference of opinion as to the type of organisation which the reformed churches should adopt. This difference of opinion resulted in the formation of three main groups of reformed church constitutions.

I. In the group represented by the Lutheran and the English reformed churches, the emphasis was laid on the real continuity of the life of the reformed church with that of the unreformed Catholic Church, to which they had all belonged. The true Church must be one and universal throughout the ages. The reformers claimed to be but leading the true Church back to the paths of purity, out of which it had strayed.[1] Hence the tendency was to retain the outward form of the old Church, and to reform only abuses which had gradually grown up under the Roman régime. Thus, in Germany, the Lutheran Court of the Consistory was a modification of the Roman Episcopal Court. The Roman Catholic bishop was replaced by Protestant pastors, lay lawyers took the place of the old ecclesiastical lawyers, and the authority

[1] Lindsay's *History of the Reformation*, vol. i. pp. 403-4.

of the court rested on the power of the State, instead of resting on that of the Roman Curia.[1] In England the hierarchical form of Church government was retained intact, except that the head of the Church was no longer the Pope, but the secular ruler of the kingdom.[2] The motives inspiring Luther's action in this matter of Church government were, of course, entirely different from those which animated Henry VIII. and Elizabeth. But the practical results were similar.

II. The second group of reformed church polities was composed of the Swiss Churches, those of the South German cities, and later of the French, Frisian, and Scottish Churches. The object at which the reformers aimed was the reproducing, as exactly as modern conditions would permit, of the Church organisation of the Apostolic Age, since that was the constitution of all others most nearly uncorrupted from the purity of Christ's own teaching.[3] In adapting the Apostolic outline to modern conditions, and in filling in the details of organisation which were wanting in the New Testament descriptions, the Swiss reformers founded their practice upon the common Reformation doctrine of the priesthood of all believers. In their interpretation of the New Testament, these reformers agreed on the principle of the parity of ministers or pastors, even when, for the sake of inspection or unity, one or more pastors exercised the duties of superintendent or visitor. The administration of Church affairs was conducted by ecclesiastical courts composed of magistrates, pastors, and elders theoretically representative of the congregations, deacons as in the primitive Church, distributing the charity of the congregation.[4]

Only thus far was the Swiss group of Churches unanimous. In the further details of their Church organisation they differed considerably. It was plain to all Roman-bred sixteenth century

[1] Lindsay's *History of the Reformation*, vol. i. pp. 412-13.

[2] *Statutes of the Realm*, vol. iii. p. 492 ; vol. iv. part i. pp. 350-55.

[3] *Johannis Calvini Opera*, vol. ii. pp. 788-98. Kuyper's *Johannis a'Lasco Opera*, vol. ii. pp. 4, 279.

[4] Ruchat's *Hist. de la Réformation de la Suisse.*

reformers, that the Church must have some form of disciplinary control over the morals of its members. Zwingli in Zurich maintained that the Christian reformed state was the proper upholder of the authority of the Church.[1] Church courts, composed of pastors and State officials, might watch over Church matters more closely than the State alone could do. But Zwingli held that the duties of such Church courts were merely to conduct minor ecclesiastical business and to urge the State to the full exercise of its duties in relation to the Church.[2] The Synod of Zurich was completely under the control of the City Councils.[3] Calvin agreed with Zwingli, so far as to emphasise the importance of the duty of the State to support the Church with its power.[4] But, rather than acknowledge the supremacy of the State over the Church, Calvin and his fellow-ministers abandoned their work in Geneva and went into exile in the year 1538.[5] Calvin's Church courts were, like those of Zwingli, composed of ministers and State officials,[6] but the civic officials were members in their capacity of elders of the Church, except in the case of the formal chairmanship of a Syndic in the Consistory.[7] It was firstly in order to facilitate the working together of Church and State, that the personnel of the Genevan eldership was restricted to members of the City Councils,[8] and secondly in order to exclude from the Church courts the peculiarly large number of unscrupulous persons in the Genevan population, who by law must be members of the Church,[9] but in desire were its enemies.

With the distinctive type of eldership in the Genevan Church appeared the main distinguishing principle of the Presbyterian form of Church government. But in the actual

[1] Ruchat's *Hist. de la Réformation de la Suisse*, vol. ii. p. 223 ; vol. vi. p. 283.
[2] *Ibid.*, vol. ii. p. 223.
[3] *Ibid.*, vol. ii. p. 44.
[4] *Calvini Opera*, vol. x. p. 11.
[5] Ruchat's *Hist. de la Réformation de la Suisse*, vol. v. pp. 63-66.
[6] *Ibid.*, vol. vi. p. 368 ; vol. v. p. 158. *Calvini Opera*, vol. x. pp. 18, 20, 29.
[7] Kampschulte's *Johann Calvin*, p. 438.
[8] *Calvini Opera*, vol. x. p. 100.
[9] *Ibid.*, vol. x. pp. 11-12.

Genevan practice of confining the personnel of the eldership to members of the City Council, the fact that the principle was founded on the doctrine of the priesthood of all believers was almost completely obscured. It was only gradually that the reformers, who had been inspired by Calvin's personality, came to realise the difference between Genevan practice and what should have been the concrete results of its basic doctrine.

In France the political conditions of the Reformation helped the reformers to make the first break away from Genevan tradition. The French reformed church was a body persecuted by the State. Consequently it was impossible for the Magistracy to have any part in Church government. As no very undesirable element was likely to join their persecuted congregations, distrust of control of ecclesiastical affairs by the ordinary members of the Church was greatly reduced. Thus under the constitution of the French Church, the ranks of the eldership and diaconate were recruited from all classes among the members of a congregation. Elders and deacons alike were members of the Church courts, but the method by which they were elected to office—*i.e.*, by these courts themselves[1]—made the Presbyterian Consistory still a close corporation, and any deviation from this principle of election the French Church continued to consider a danger to the true polity.[2]

A'Lasco's Congregation of the Foreigners in London, as a church of aliens countenanced by a friendly government, had a still freer hand in constructing its polity.[3] A'Lasco used his freedom to follow yet more closely what he considered to have been Apostolic practice. Here the nominations to the ministry, the eldership, and the diaconate were accepted from the congregation as well as from the Weekly Assembly itself,[4] and all the marks of the close corporation disappeared from a'Lasco's courts. In this polity the doctrine of the priesthood of all believers received further emphasis, from the institution

[1] Quick's *Synodicon*, p. xxvii. [2] *Ibid.*, vol. i. p. 76.
[3] Kuyper's *Johannis a'Lasco Opera*, vol. ii. p. 279.
[4] *Ibid.*, vol. ii. p. 65.

of an assembly for the discussion of scriptural difficulties, in which all members of the Church were expected to take part.[1]

Calvin, in opposition to Zwingli, had held that the control of the State over the morals of its citizens was insufficient from the point of view of the Christian Church.[2] Thus it came about that, in the second group of reformed churches, one of the most important functions of the office-bearers and Church courts was the oversight of the morals of the congregations; and it was a basic principle of this exercise of ecclesiastical discipline, that neither State officials nor pastors of the Church were to be exempt from oversight.[3]

III. A third type of reformed church had been proposed by Lambert for the ecclesiastical organisation of Hesse in 1526. He had followed out the doctrine of the priesthood of all believers to its full logical institutional consequences, whether as a result of study of Waldensian practice, or from his personal interpretation of Scripture, is still a moot point.[4] Lambert's proposal was to put the administration of all congregational business in the hands of a Weekly Assembly of all the Church members,[5] and the general management of Church affairs for the whole province of Hesse in the hands of a Synod, consisting of all the ministers of the province, with one commissioner from each congregation in the country, and the Prince, and his nobles.[6] There being no representative eldership acting for the congregation, and the conditions of membership of the Church courts being peculiar to this Hessian constitution, this type of Church polity must be considered as distinct from the other Presbyterian types. Although the principles of the Hessian Church polity were not applied in actual practice, it would be misleading to ignore their possible influence on the

[1] Kuyper's *Johannis a'Lasco Opera*, vol. ii. pp. 101-2.

[2] Ruchat's *Hist. de la Réformation de la Suisse*, vol. v. p. 158.

[3] *Calvini Opera*, vol. x. p. 20; *Ibid.*, vol. ii. p. 851, lines 38-45. Kuyper's *Johannis a'Lasco Opera*, vol. ii. p. 56; p. 176, lines 2-5. Knox's *Works*, vol. ii. p. 233.

[4] Richter's *Evangelischen Kirchenordnungen*, p. 56.

[5] *Ibid.*, pp. 61-64. [6] *Ibid.*, pp. 64-65.

constitutional opinions of the reformers. For the polity was publicly adopted in 1526, at the Synod of Homberg, as that of the reformed church that was to be set up in Hesse, and published with the expressed hope that it might be useful as an example to others entering upon the work of reformation.[1] Further, its fundamental principles were in line with the principles of Church government underlying the various Presbyterian polities; and its extreme democratic tendencies had later parallels in a'Lasco's assembly for the discussion of Scriptural difficulties, and in the Scottish "Exercise."

It is evident, then, that in the application of the general New Testament principles to the particular circumstances of city communities, provincial states, and national ecclesiastical organisations, the details of the reformed church polities varied very considerably. This variety of type facilitates the process of deciding which among them could have served as models to the Scottish reformers.

Of which Church Polities had the Scottish Reformers of 1560 *any previous Knowledge?*

It is now necessary to consider, with which Presbyterian reformed churches it is probable that Knox, and Willok, and their four colleagues could have come into contact up to the year 1560.

John Knox.

In the first place consider Knox's movements in England and on the continent.

I. During the years 1550-53, Knox had every opportunity for studying the constitution of a'Lasco's Church of the Foreigners in London. That Knox knew of a'Lasco's work in London is certain, for, writing in his *History of the Reformation in Scotland* of this time of his exile in England, Knox mentions a'Lasco as one of the distinguished foreigners

[1] Richter's *Evangelischen Kirchenordnungen*, p. 56.

who were generously provided for by Edward VI.[1] Further, Dr Mitchell has pointed out that, in a number of the liturgical formularies of the Knoxian Scottish Church, there is a parallel with similar liturgical publications of a'Lasco, so close as to constitute presumptive proof of Knox's having borrowed directly from a'Lasco's formularies.[2] No evidence, however, of direct personal contact between a'Lasco and Knox has yet been found. But it seems scarcely possible that Knox, living during these years in England, and even preaching in London,[3] could have remained unaffected by the influence of a'Lasco's personality. There is evidence of the strength of this influence. Martin Micronius, in writing to Bullinger from London on 7th November 1551, says, "Master a'Lasco, our Superintendent . . . is of the greatest use . . . also to the English by teaching, exhorting, counselling, and writing . . . his influence, which is great in the country. . . ."[4]

On the vexed questions of the time, Knox appears to have been in agreement with a'Lasco and that minority party, which worked strenuously for the further reformation of the Church of England. Dr Lorimer has pointed out that Knox seems to have been one of those who took a leading part in the agitation which added the Rubric on kneeling at Communion to the English Prayer Book of 1552.[5] A'Lasco had already expressed the same point of view as that taken by Knox, in a letter to Cranmer in 1551.[6] Again, Bishop Hooper wrote to Bullinger on 1st August 1551: "Master a'Lasco alone of all the foreigners, who had any influence, stood on my side" (in the vestments controversy).[7] On 7th June 1553, a'Lasco wrote

[1] Knox's *Works*, vol. i. p. 243.

[2] Mitchell's *The Wedderburns and their Work*, pp. 82-87.

[3] Knox's *Works*, vol. iii. p. 168.

[4] *Parker Society's Letters relative to the English Reformation*, vol. ii. p. 578.

[5] Lorimer's *John Knox and the Church of England*, pp. 98-134. *Cf.* also Knox's *Works*, vol. iii. p. 279.

[6] Lorimer's *John Knox and the Church of England*, pp. 138-39. Gerdesius, *Scrinium Antiquarium*, tom. ii. pars. ii. pp. 656-70.

[7] *Parker Society's Letters relative to the English Reformation*, vol. i. p. 95; vol. ii. p. 675.

in a letter, "Satan leaves nothing unattempted against us on account of the reinstated exercise of discipline in our Churches."[1] Knox himself has already been quoted above, as criticising the English Reformation in these two particulars in 1555 and 1553.[2]

In view of these important points of agreement, there is ground for the presumption that Knox would carefully study the organisation of the Church of the Foreigners in London.

II. In 1554 Knox wrote, in *A Comfortable Epistle to his Afflicted Brethren in England*, "Since the 28 of Januar, I have travellit through all the congregations of Helvetia, and have reasonit with all the Pastours and many other excellentlie learned men upon sic matters as now I can not commit to writing."[3] Thus the organisations of the Swiss Churches must have been familiar to Knox.

III. In 1554 Knox went to act as minister to the Congregation of English refugees at Frankfort. The authorities there stipulated that the English Church service was to be modelled on that of the Congregation of French refugees in Frankfort under the ministry of Valérand Pullain.[4] The polity of this fugitive Protestant Congregation had already been published in London in 1551. Thus Knox had previously had an opportunity for studying it, and was now obliged to do so.

IV. From 1555-59 Knox's headquarters were at Geneva.[5] Of Geneva Knox wrote in 1556: " . . . this place, whair I neither feir nor eschame to say is the maist perfyt schoole of Chryst that ever was in the erth since the dayis of the Apostillis."[6] Clearly it is to be expected that Calvin's influence would count for much with Knox.

V. Knox had a number of opportunities for studying the organisation of the French reformed congregations. He was in Dieppe every year from 1554 to 1559, travelling to and from

[1] Kuyper's *Johannis a'Lasco Opera*, vol. ii. p. 675. [2] *Ibid.*, p. 22.
[3] Knox's *Works*, vol. iii. p. 235. [4] *Ibid.*, vol. iv. p. 10.
[5] Hume Brown's *John Knox*, vol. i. pp. 187-214.
[6] Knox's *Works*, vol. iv. p. 240.

Geneva across France.[1] His interest in reform in France is evidenced by the publication in 1557 of his *Apology for the Protestants who are holden in Prison in Paris*,[2] and by his preaching for a short time to the French Protestants of Dieppe, while he waited there in the spring of 1559.[3] It is to be presumed that this interest would extend to the French Confession of Faith, and the regulations for the organisation of a national Church, known as *Quant à la Discipline*, published in 1559.

John Willok.

It is not recorded exactly when John Willok fled to England from persecution in Scotland, but he is known to have preached there as early as 1541.[4] He continued to live in England throughout the reign of Edward VI., and, as Chaplain to the Duke of Suffolk, to preach there.[5] Thus he also may have come into contact with a'Lasco's Church and with Pullain's congregation in England. As there is no evidence in the matter, this must be mere conjecture. But it seems likely that Willok knew something of a'Lasco, as he fled in 1553 from England to Emden,[6] whence a'Lasco had come to minister to his London Church in 1550.[7] From 1543 to 1549 a'Lasco had been the reformer of Friesland,[8] and had built up there a reformed church, which Willok had every opportunity of studying between 1553 and 1558, before he finally returned to Scotland. It is not known that Willok came into contact with any Presbyterian form of Church organisation, except that of Friesland, with which Knox was not equally familiar.

[1] Knox's *Works*, vol. i. pp. 245, 254, 269, 272, 318; vol. iii. pp. 113, 236, 249, 330; vol. iv. pp. 71, 225, 245, 258, 260, 275, 286, 347. M'Crie's *Life of Knox*, p. 125.

[2] Knox's *Works*, vol. iv. pp. 287-349.

[3] The Davals' *Hist. de la Réformation à Dieppe* (edited by Lesens, 1878). Hume Brown's *John Knox*, vol. i. pp. 216-21.

[4] M'Crie's *Life of John Knox*, p. 105.

[5] Hume Brown's *John Knox*, vol. i. p. 290. *Woodrow Miscellany*, vol. i. pp. 261-64, 267.

[6] Knox's *Works*, vol. i. p. 245.

[7] Dalton's *John a'Lasco*.

[8] *Ibid.*

John Winram.

Of the other four compilers of the *First Book of Discipline* John Winram was the only one who had never been abroad.

John Spottiswoode.

John Spottiswoode might be expected to have a keen interest in the English reformed church, and some knowledge of that of France. For he was converted by Cranmer while living in England between 1538 and 1543, and admitted to Protestant orders by the Archbishop. He spent a few more months in England in 1544. In 1558 he accompanied Lord James Stewart to France on the occasion of Queen Mary's marriage to the Dauphin.[1] Here he and the Lord James would hear the details of the difficulties and activities of those French Protestants, who in the next year organised their scattered congregations into a national Church.

John Douglas.

John Douglas would have his own interest in French Protestantism, as he had taught as a Regent in the Montague College in Paris in 1537.[2]

John Row.

John Row was in a favourable position for critical study of Reformed Church constitutions during his nine years' sojourn in Rome and Padua from 1550 to 1559.[3] But since he taught French later on, in his school at Perth, it seems probable that he too at some point in his career must have spent some time in France.

It is clear that these four reformers would be unlikely to introduce any foreign Protestant influences upon the new

[1] Woodrow's *Lives of the Reformers*, vol. i. pp. 72-74. Hewat, *The Makers of the Scottish Church at the Reformation*, p. 285. [2] *Ibid.*, p. 310.
[3] Row's *History of the Kirk of Scotland*, pp. viii. *et seq.*, 466. Hewat, *The Makers of the Scottish Church at the Reformation*, pp. 226-27.

Scottish polity, which are not already represented in the personalities of Knox and Willok; and it is significant that interest in the French Protestants appears most frequently in the experiences of the six Johns.

Original contemporary accounts are available of those foreign Church polities with which Knox, Willok, and the others had had the opportunity for becoming familiar, except in the case of the early Frisian reformed church organised by a'Lasco, in regard to which only second-hand accounts are available. It is then possible to compare these polities in detail with the Scottish reformed church of 1560, as the reformers proposed to themselves to constitute it.

One other possible source of influence on the constitutional ideas of the leaders of the "Congregation" must be kept in mind—the organisation of the old Roman Catholic Church in Scotland.[1] John Row, in his youth, had practised as an advocate before the Consistorial Court of St Andrews,[2] had studied Canon and Civil Law in Rome and Padua, and had acted as agent for the clergy of Scotland at the Court of Rome for nine years.[3] John Winram had been Sub-Prior of St Andrews,[4] Vicar-General for a time,[5] and had been actively concerned in the legal proceedings at the heresy trials of George Wishart[6] and Adam Wallace.[7] Hence his knowledge of Canon Law must have been considerable.

Knox had been an Apostolic notary,[8] and Willok a Franciscan monk.[9]

Hence it seems possible, that their experience of the practical usefulness of particular Roman Catholic institutions

[1] Dowden's *Mediæval Church in Scotland.* Patrick's *Statutes of the Scottish Church*, 1225-1559.

[2] Hewat, *Makers of the Scottish Church at the Reformation*, p. 226.

[3] Row's *History of the Kirk of Scotland*, p. viii.

[4] Woodrow's *Lives of the Reformers*, vol. i. p. 120.

[5] Knox's *History*, vol. i. p. 193.

[6] *Ibid.*, vol. i. p. 150, etc. [7] *Ibid.*, vol. i. p. 544.

[8] Hume Brown's *John Knox*, vol. i. pp. 58-59. Laing's *Knox's Works*, vol. vi. pp. xxi.-xxii.

[9] Woodrow's *Lives of the Reformers*, vol. i. p. 100.

might have influenced these reformers towards building up the new polity on similar lines.

III. The Inquiry into the Origins of the Scottish Kirk of the *First Book of Discipline*, 1560.

There is a series of documents, which presents a description of the reformed church polity which it was proposed to set up in Scotland in 1560. This series consists of:—

1. The Ordour of the Electioun of Elderis and Deaconis in the Privy Kirk of Edinburgh in the begyning. . . .[1]
2. Forme and Ordour of the Electioun of Superintendents . . . Edinburgh, 9th March 1560.[2]
3. The Buke of Common Order of 1560.[3]
4. Confession of Faith (16th August 1560).[4]
5. The First Buke of Discipline (April to May 1560).[5]

For the purpose of comparing the polities of the foreign reformed churches we have indicated, with that constituted in Scotland in 1560, consider first the three distinctive offices common to all Presbyterian Churches—those of the ministers, the elders, and the deacons—and regard each from the points of view of their election, their duties, and the discipline, to which they were obliged to submit in case of their conduct in office meeting with disapproval.

Ministers.

In regard to the election of ministers, the procedure in the Scottish Kirk is described generally in the *First Book of Discipline*,[6] and detailed in the *Book of Common Order*.[7] It consisted in the choice of a number of nominees by the congregation, the examination of these nominees by the ministers and elders, the selection by them of one, and a

[1] Knox's *Works*, vol. ii. pp. 151-54.
[2] *Ibid.*, vol. ii. pp. 144-50.
[3] *Ibid.*, vol. vi. pp. 275-333.
[4] *Ibid.*, vol. ii. pp. 93-120.
[5] *Ibid.*, vol. ii. pp. 183-258.
[6] *Ibid.*, vol. ii. pp. 189-91.
[7] *Ibid.*, vol. vi. p. 293; vol. iv. pp. 175-76; *cf. Acts of the General Assembly*, vol. i. p. 16.

further vote of the congregation on this one. There are three Churches, whose election of their ministers resembled the Scottish method—Lambert's Hessian Church, a'Lasco's London Church of the Foreigners, and Pullain's Church of French Refugees—and in these the resemblance is very close. Lambert's constitution directs—"Let any Church elect and depose its own Bishop" (the equivalent of the Scottish term minister), "for it lies with the Church to judge as to the voice of its shepherds."[1] Again, "In these assemblies" (of the whole congregation on Sundays), "all ecclesiastical business of any kind is to be treated of, bishops and deacons are to be elected.[2] . . . . All elections . . . should be done as follows. Let three from all those electing separate themselves in one place to observe the votes of all, nor will it be necessary to write the names of those electing, but it will be enough to write down the names of those who have been elected, and then to signify by little lines how many votes each man has. . . ."[3] In a'Lasco's[4] and Pullain's[5] Churches the slight difference from the Scottish polity occurs, that they did not take the second vote of the congregation, the choice of the examining committee appointing automatically. Pullain's Church showed the further difference that the nominees were examined by fellow-ministers only, while a'Lasco added deacons to the council of examiners.

The directions of the *Book of Common Order* are identical in this matter with the directions in the *Book of Geneva*, used by Knox's English Congregation at Geneva. The *Book of Geneva* is precisely stated by Knox to be one of the forms of congregational organisation drawn up at Frankfort during the controversies there in the years 1554 to 1555.[6] The aim of those drawing up these orders was to reconcile the desires of the party which clung to the forms

[1] Richter's *Evangelischen Kirkchenordnungen des XVI^ten Jahrhunderts*, p. 66. [2] *Ibid.*, p. 62. [3] *Ibid.*, p. 65.
[4] Kuyper's *Johannis a'Lasco Opera*, vol. ii. pp. 65-67.
[5] Pullain's *Liturgia Sacra*. [6] Knox's *Works*, vol. iv. p. 30.

of the English Book of Common Prayer, with those of the party favouring the polity of Pullain's French Church already established in Frankfort. Directions for congregational election of pastors could not be derived from the English Prayer Book. Therefore it is evident that the Scottish method of procedure in electing ministers was derived in general principles from the polity of Pullain, that it was possibly influenced by Knox's familiarity with a'Lasco's polity, and that there was some advance beyond Pullain's model in the Scottish Church, in the direction of giving a wider number of office-bearers, and the general body of the congregation, the right of direct action in the matter of the election—an advance which suggests the Hessian polity of 1526 as a possible source.

On the subject of the duties assigned to the Ministry, there is practically no divergence of view among the Presbyterian Churches of the sixteenth century. Thus no internal evidence as to sources is to be gathered from a comparative study of the duties incumbent on ministers.

All the Presbyterian Churches emphasised the necessity for a careful supervision by the Church courts of the conduct of the ministers. But they differed considerably as to the particular courts, on which lay this duty of supervision and discipline. Throughout Switzerland the magistracies of the various communities were given a share in the disciplinary authority.[1] In the French Church, the ministers were subject to the control of their particular Consistories, and of the Provincial Synods, and to the control of brotherly censure in the National Synod.[2] This arrangement was very similar to that followed in the Scottish Church. In Scotland the Consistory had the primary authority over the minister, and, with the consent of the superintendent and his Church, had the power of deposition.[3] From 1563 all appeals from Consistories

[1] Richter's *Evangelischen Kirchenordnungen des XVI^n Jahrhunderts*, vol. i. (Berne) p. 105, par. 3 ; (Basel) p. 121 ; (Zurich) pp. 172-73. *Calvini Opera*, vol. x. p. 97. [2] *Hist. Ecclésiastique*, vol. i. pp. 216, 217-18.
[3] Knox's *Works*, vol. ii. p. 235.

were to be heard by the Synodal Assemblies.[1] From the latter date, the control of the General Assembly appears to have been even more effective than that implied in the "brotherly censure" of the French Church. For the General Assembly was to conduct an examination into the life and doctrine of superintendents, ministers, and elders present, and the superintendents were to report on those ministers who were not present.[2]

Elders and Deacons.

In regard to the discipline exercised over the other two classes of office-bearers—elders and deacons—uniformity of procedure existed between the French[3] and Scottish Churches,[4] except that in the Scottish Church the strict control of the General Assembly over superintendents and ministers was extended to elders.[5] The only other Churches which at all resembled the Scottish polity in this matter of the discipline of their office-bearers, are those of a'Lasco and Pullain. Pullain's *Liturgia Sacra* is silent as to the discipline of ministers and deacons, but its elders were subject to the Consistory, which, however, was composed only of ministers and elders. The *Forma ac Ratio* of a'Lasco subjected ministers, elders, and deacons alike to an assembly, identical in composition with the Scottish Consistory, that is, numbering all three classes of office-bearers among its members, but meeting quarterly for the express purpose of mutual discipline.[6] Neither of these latter Churches being national in character, their constitutions showed no arrangement for appeals to courts representing wider areas.

Thus internal evidence points clearly to the French Church as the source whence the Scottish Church of 1560 drew its procedure in the matter of the disciplinary control of its office-bearers.

[1] *Acts of General Assemblies*, vol. i. p. 33. [2] *Ibid.*, vol. i. p. 14.
[3] *Hist. Ecclésiastique*, vol. i. p. 218.
[4] Knox's *Works*, vol. ii. pp. 235, 237; vol. iv. pp. 177-78.
[5] *Acts of General Assemblies*, vol. i. p. 4.
[6] Kuyper's *Johannis a'Lasco Opera*, vol. ii. pp. 230-31.

In the manner of electing its elders and deacons, the Scottish Church closely followed the procedure of Pullain's Congregation in the election of elders. Pullain and his elders nominated double the number of persons required as new elders, and the congregation elected from these nominees.[1] In the Scottish Church the retiring elders and deacons nominated double the number of persons required as new elders, and as new deacons, other members of the congregation making any further nominations they desired, and the congregation elected from the whole of the nominations.[2] The nomination by members of the congregation also recalls the election of elders and deacons in a'Lasco's Church. But the procedure there was different, as it vested the power of actual election, not in the body of the congregation, but in the Assembly of Ministers, Elders, and Deacons.[3]

In applying the same method of election to deacons, as that used in the case of elders, the Scottish Church differed from that of Pullain, which elected its deacons somewhat differently. But the majority of reformed churches were in agreement with that of Scotland, in making use of the same procedure in the election of the two kinds of office-bearers.[4]

In the matter of the duties assigned to elders and deacons, three Churches gave a share in all ecclesiastical business and activities to these men—the French Church,[5] the Scottish Church,[6] and a'Lasco's Congregations.[7] From internal evidence it may perhaps be considered that the Scottish Church resembled the French Church more than it did that of a'Lasco.

[1] Pullain's *Liturgia Sacra.*

[2] Knox's *Works*, vol. ii. pp. 152, 225, 233-34.

[3] Kuyper's *Johannis a'Lasco Opera*, vol. ii. pp. 65-66.

[4] *Ibid.*, vol. ii. pp. 65-66. Quick's *Synodicon*, vol. i. p. xxvii. *Calvini Opera*, vol. x. p. 23.

[5] *Hist. Ecclésiastique*, vol. i. pp. 216-20.

[6] Knox's *Works*, vol. ii. p. 233.

[7] Kuyper's *Johannis a'Lasco Opera*, vol. ii. pp. 65, 68, 228, 229, 230, 234 last par.

In the latter case, the deacons were not unconditionally *ex officio* members of the congregational assembly meeting to administer general congregational affairs, and to exercise ecclesiastical discipline. They were to join in the work of this assembly when invited to do so by the ministers and elders. Even though the Church polity recommends their frequent presence as an advantage, this is a limitation on the deacon's activities, which is not present in the French or Scottish Churches. But all three Churches are sharply distinguished in this matter from the Swiss Churches, in which the activities of the elders and deacons were differentiated by the fact that the deacons were not eligible for membership in any of the Church courts.

Two other offices were constituted in the Scottish Church of 1560—that of superintendent,[1] and that of reader.[2] They proved to be only temporary arrangements to meet the special needs of the early years of the reformed church. But they cannot be omitted from a survey of the Scottish ecclesiastical polity of 1560, since they played an important part in the life of the Church for some eighteen years, and since the origins of many of the duties of the later court of the Presbytery are to be found in the office of the superintendent.

Superintendents.

In the early years of the reformed churches on the Continent the new organisations suffered from the incompleteness and imperfect co-ordination of their systems of ecclesiastical courts. The Swiss town churches, for example, felt that their control over congregations in country dependencies was too lax and indefinite.[3] To remedy this, as in Geneva, one or two men were appointed to conduct tours of inspection regularly, and there were delegated to them varying powers of administration in the districts they visited. Francis Lambert's proposed constitution of 1526 had previously entrusted similar

[1] Knox's *Works*, vol. ii. pp. 201-3. [2] *Ibid.*, vol. ii. pp. 195-96.
[3] *Calvini Opera*, vol. x. p. 98.

duties to the three visitors who were to be elected yearly in the Hessian Synod.[1] The Lutheran Churches had employed visitors from the first.[2] The superintendent in a'Lasco's Church in London was also to keep watch over the faithfulness and diligence of the ministers of the various congregations of foreigners in the city.[3] The main duty incumbent on the Swiss visitors was that of inspecting the conduct and work of the ministers in outlying parishes, as in Zurich (1532),[4] and in Geneva (1537 to 1559).[5]

In the Roman Catholic Church the function of the archdeacons and deans of Christianity was that of being "the Bishop's eye" in watching over the lives and behaviour of the parochial clergy of the diocese.[6] The points of similarity between the function assigned to the continental visitors and the duties devolving on archdeacons and deans of Christianity in the Mediæval Church points to a probability that the example of the old Church had, in the first place at least, suggested the administrative usefulness of some such office in the German and Swiss Churches.

In the Scottish Church of 1560, the corresponding office of superintendent was established from a different motive. As being an office infringing on the Presbyterian principle of equality of ministers, the *First Book of Discipline* gives a full explanation of the reasons for instituting it. "We consider that yf the Ministeris whome God hath endewed with his singular graces amangis us, should be appointed to severall and certane placis, thair to mak thair continuall residence, that then the greatest part off this Realme should be destitute of all doctrine; . . . Thairfore we have thocht it a thing most

[1] Richter's *Evangelischen Kirchenordnungen des XVI^n Jahrhunderts*, p. 67. [2] Sehling's *Ibid.*, vol. i. pp. 33, 142, 143.

[3] Kuyper's *Johannis a'Lasco Opera*, vol. ii. p. 58.

[4] Richter's *Evangelischen Kirchenordnungen des XVI^n Jahrhunderts*, vol. i. p. 173.

[5] *Calvini Opera*, vol. x. pp. 45-48.

[6] Chambers's *Encyclopædia*, vol. i. pp. 386-87; vol. iii. pp. 712-13. Dowden's *Mediæval Church in Scotland*, p. 213.

expedient for this tyme, that from the whole nomber of godlie and learned men, now presentlie in this Realme, be selected twelf or ten (forin sa many Provinces have we divideid the hoill) to whome charge and commandiment shall be gevin to plant and erect Churches, to set ordour and appoint ministeris . . . to the cuntreis that sall be appointed to thair cayre whaire none ar now . . . no thing desire we more earnistlie, than that Christ Jesus be universallie once preached throuchout this Realme; whiche shall not suddanlie be unles that . . . men be appointed and compelled faithfullie to travell in such Provinces as to thame shall be assignit.[1] . . . Thei must be preachearis thameselves. . . . Thei must thryise everie weake at the least preache . . . efter thei have remaned in thair cheif town thre or four monethis at most thei shall be compeiled . . . to re-enter in Visitation, in which thei shall not onlie preache, but also examyn the life, diligence, and behaviour of the ministeris; as also the ordour of thair Churches, and the maneris of the people. Thei must farther consider how the poore be provided; how the youth be instructed; thei must admonische whaire admonitoun neidith, dresse suche thingis as by goode counsall thei be able to appease; and, finalie, thei must note such crymes as be haynouse; that by the censure of the Church the same may be corrected."[2]

The disciplinary and administrative duties which were the main object of the office in Switzerland, are in Scotland treated as accessory duties, which can be conveniently performed by these travelling preachers. There is one other similar instance of the use of travelling preachers to supplement an inadequate ministry. In the English reformed church under Edward VI., both Knox[3] and Willok[4] had exercised the office of travelling preacher. Burnet has stated that the object of the appointment

[1] Knox's *Works*, vol. ii. pp. 202-203.

[2] *Ibid.*, vol. ii. pp. 204-205.

[3] Lorimer's *John Knox and the Church of England*, pp. 79-80. Strype's *Ecclesiastical Memorials*, vol. ii. p. 521. *Parker Society's Letters relative to the English Reformation*, vol. ii. pp. 11, 22-3, 472, 485, 495.

[4] *Ibid.*, vol. ii. pp. 428, 431.

of these travelling preachers in England was to spread the knowledge of Reformation doctrine through the many districts where there were no competent clergymen.[1] When there is added to this precedent Knox's declaration that the principal office of a bishop is to preach,[2] presumably throughout his diocese, a point of connection appears between Edward VI.'s court preachers and the Swiss visitors. The internal evidence of the *First Book of Discipline* points to the supposition that the influence of Knox and Willok reproduced in the Scottish superintendent, the temporary expedient of travelling preachers, and the administrative advantages secured to a little-organised Church polity, by the Swiss office of visitor. Already in Geneva, alone among the continental reformed churches, the combination of the two offices is suggested by the inclusion of preaching among the duties of a visitor.[3] But the emphasis laid by the *Book of Discipline* on the lack of qualified ministers as necessitating the institution of the office, points unmistakably to the reformed church of Edward VI., as the source of the principal duty of the Scottish superintendent. The point, that the chief Magistrate and Council of the most important town of the superintendent's district were to take part in his election,[4] again slightly recalls Geneva, the method of choosing the visitors there being by election by the ministers and magistrates from among their own number.[5]

In the similar part to be taken by the ministers, elders, and deacons of the superintendent's chief town, there is also a curious parallel with the Hessian Church constitution of 1526. In the latter polity, the Church of the Synodal, or chief provincial city, was to have the power between Synods to elect a new visitor if a vacancy should occur.[6] There is a further suggestive parallel between the *First Book of Discipline* and

[1] Lorimer's *John Knox and the Church of England*, p. 80.
[2] Knox's *Works*, vol. iii. p. 26.
[3] *Calvini Opera*, vol. x. p. 47.
[4] Knox's *Works*, vol. ii. p. 206.
[5] *Calvini Opera*, vol. x. pp. 46, 98.
[6] Richter's *Evangelischen Kirchenordnungen*, p. 66.

Lambert's polity in this matter of visitors. The latter polity reads: . . . "For this year, while the Church is not established . . . there will be considered as visitors those men whom our Prince with the Men Elected by the Synod" (a committee of Synod) "shall elect."[1] The *First Book of Discipline* directs, "In this present necessity . . . we think sufficient that eather your Honouris by yourselves, nominat sa mony as may serve the fore-written provincis; or that ye gif commissioun to suche men, as in whome ye suppoise the feir of God to be to do the same . . ."[2] In the absence of either direct or presumptive evidence that any of the Scottish reformers of 1560 had studied Lambert's constitution, no trustworthy conclusions can be drawn from such parallels. But they at least suggest that the Hessian reformed constitution may subsequently prove to be one source of the principles underlying the Scottish polity of 1560.

The greater part of the mechanism for the elections of Scottish superintendents rather recalls a'Lasco's constitution, since the main part was to be played by the ministers and elders of the province, in which the superintendent was to fulfil his office. The provisionary series of ecclesiastical authorities, to which the superintendent was to be subject in the matter of disciplinary censure,[3] is peculiar to the Scottish polity, but the principle is the same as that which called for the correction of a'Lasco's superintendent by the Assembly of Ministers, Elders, and Deacons of all the congregations.[4]

Mainly on the basis of a similarity between Knox's "Form and Order of Election and Admission of Superintendents and Ministers,"[5] and a'Lasco's "Forma inaugurandi Ministros Verbi et Superintendentem ad Ministorium ipsorum," Dr Mitchell has suggested that the Scottish office might have been derived from that of a'Lasco.[6] But the parallel between a'Lasco's

[1] Richter's *Evangelischen Kirchenordnungen*, p. 66.
[2] Knox's *Works*, vol. ii. p. 205.
[3] *Ibid.*, vol. ii. pp. 207-8.
[4] Kuyper's *Johannis a'Lasco Opera*, vol. ii. p. 59.
[5] Knox's *Works*, vol. ii. pp. 144-50.
[6] Mitchell's *The Wedderburns and their Work*, p. 81 *et seq.*

superintendent, the Swiss visitors, and the Scottish superintendents ends with their inspection of the faithfulness of the other ministers. For a'Lasco's superintendent was to be, as it were, the centre of the whole Church organisation.[1] Nothing was to be done in any of the congregations without his knowledge.[2] He was to preside at Church assemblies, to maintain order, to enforce the observance of ecclesiastical discipline, to guard against heresy, and to maintain unity of doctrine.[3] As standing in similar relations to all the Churches, his election, his correction, and if necessary his deposition were to take place in the Assembly of the Ministers, Elders, and Deacons of all the Churches.[4] It is obvious that the functions of this office were quite different from those of the Scottish superintendent.

From a comparative study of the Scottish office of superintendent of 1560, it would then appear that, in its chief purpose, that of missionary preaching, it followed the example of the Edwardian Church of England and the Genevan Church, while in its administrative duties, the Swiss Churches in general, and possibly also the Hessian Church constitution of 1526, contributed suggestions to the Scottish reformers.

Readers.

The office of reader occurs only in the reformed churches at Bâle[5] and Zurich[6] and in Scotland.[7] In Scotland the institution of the office arose from that same lack of qualified ministers, which necessitated the appointment of superintendents, and the reader remained at the disposal of the superintendent throughout his tenure of office. The *Book of Discipline* explains, "For the Kirkis quhair no ministeris can be haid presentlie, must be appointed the most apt men, that

[1] Kuyper's *Johannis a'Lasco Opera*, vol. ii. p. 58.
[2] *Ibid.*, vol. ii. p. 59. [3] *Ibid.*, vol. ii. p. 58. [4] *Ibid.*, vol. ii. p. 59.
[5] Richter's *Evangelischen Kirchenordnungen des XVI^n^ Jahrhunderts*, pp. 122, 125. [6] *Ibid.*, p. 172.
[7] Knox's *Works*, vol. ii. pp. 185-86, 200; *cf.* also *Calvini Opera*, vol. ii. p. 788.

distinctlie can read the Commoune Prayeris and the Scripturis . . . in process of tyme he that is but ane Reader may atteane to the further gree, and . . . may be permittit to minister the Sacramentis."[1] In Bâle (1529) and in Zurich (1532) the reader's work was to be supplementary to that of the minister. In Scotland the double object of the office was to instil Scriptural instruction where there was no minister obtainable, and to supply likely young aspirants to the ministry with a field for theological training, until better arrangements for their instruction could be made. It seems possible that Bâle was the source whence Knox gleaned the suggestion of such an office. For in Bâle, as in Scotland, there is reference in connection with the office, to the necessity for providing a supply of men, well versed in Scripture, to fill up the ranks of the ministry.[2] The peculiarity of the office in the Scottish Church was, that, in gradually supplying the early lack of ministers, readers would automatically disappear from the Church polity. The nature of the office made it a temporary expedient, which fell into disuse in the later years of the sixteenth century.[3] By that time, as Knox had doubtless hoped, the Scottish universities had been developed into more suitable training schools for theological students,[4] and the second purpose served by the office of reader had become as much out of date as the first.

The Scottish title of exhorter was merely one given to a reader who was capable of explaining the Scriptures he read.[5]

Doctors.

The office of doctor is referred to in the *Book of Common Order*, as one entailing the duty of instructing in sound doctrine.[6] At Geneva the term seems to refer to those on

[1] Knox's *Works*, vol. ii. pp. 195-96.

[2] Richter's *Evangelischen Kirchenordnungen des XVI^n Jahrhunderts*, vol. i. p. 122.

[3] *Acts of the General Assemblies of the Church of Scotland*, vol. ii. p. 513.

[4] M'Crie's *Life of Melville*, vol. i. pp. 69-70, 164-66.

[5] Knox's *Works*, vol. ii. p. 199. [6] *Ibid.*, vol. iv. p. 177.

the staff of the college there, who taught the Scriptures and theology.[1] From Quick's *Synodicon* it appears that, as the French Church developed, doctors were given rights of attendance at Church courts,[2] and special rights and duties when questions of doctrine were under discussion.[3] But in Scotland, from being a projected office in the Church, the term came to be used more as a title of learning and honour, its only claim to retaining its character as an office consisting in the right to attend the Church courts.[4]

The Church Courts.

The essential principle of Presbyterian Church government consisted in the participation of office-bearers other than ordained ministers in the business of the Church courts. The application of this principle gave scope for great variety in the composition of courts, and in the particular duties assigned to particular combinations of office-bearers.

In the contemporary documents relating to the Scottish Church up to 1560, four Church Assemblies, or Courts, are mentioned—the Consistorie,[5] the Weekly Assembly for the interpretation of Scripture[6] the Superintendent's Council,[7] and the General Assembly.[8] Of these the procedure of that for the Interpretation of Scripture is given in most detail. The main business of the Consistories stands out plainly. But the composition and duties of the General Assembly were left quite vague. This is natural in a movement just entering on the struggle to form a new national ecclesiastical opinion, and it is in the records of the years following 1560 that the gradual development of the principal Church court must be traced.

[1] *Calvini Opera*, vol. x. p. 21. *Cf.* also *Calvini Opera*, vol. ii. p. 780, in the Institution de la Religion Chrêtienne.

[2] Quick's *Synodicon*, vol. i. p. 32. [3] *Ibid.*, vol. i. p. 106.

[4] *Acts of the General Assemblies of the Church of Scotland*, vol. ii. pp. 495, 497-99, 500, 560.

[5] Knox's *Works*, vol. iv. pp. 177-78; vol. ii. pp. 228, 230.

[6] *Ibid.*, vol. iv. pp. 178-79; vol. ii. pp. 242-45.

[7] *Ibid.*, vol. ii. pp. 189, 206-7. [8] *Ibid.*, vol. ii. pp. 194, 208, 226.

In the territorial extent of their jurisdiction the Superintendent's Council corresponded roughly to that of the Roman Catholic Diocesan Synod and of the Bishop's Consistorial Law Court,[1] and the General Assembly to that of the old Provincial Synod.[2] But there is no evidence whatsoever to suggest that the new assemblies were an adoption from the old Church organisation—their composition and powers will be seen to be entirely different. The completeness of the break with the Mediæval Church organisation is emphasised by the fact that titles similar to the old—Consistory and Provincial Synod—were used, without confusion, of Church courts, which had close parallels in reformed churches abroad, but no likeness to the former Scottish courts of the same names.

The Consistory.

The Consistory[3] was the congregational court, and it was one common to all the Presbyterian Churches of the time. In Scotland it was composed of ministers, elders, and deacons.[4] Of contemporary Churches, only two others had formed their Consistories of these three orders—the French Church,[5] and a'Lasco's Church of the Foreigners in London.[6] The Scottish Consistory resembled the French court perhaps more closely, as a'Lasco's deacons attended only on being invited to do so, while in Scotland and France they attended by right of their office.

In regard to the business with which it was competent to deal, the Scottish Consistory again closely resembled the French Church[7] and a'Lasco's Church.[8] The three principal

[1] Dowden's *Mediæval Church in Scotland*, pp. 10, 16. Knox's *Works*, vol. ii. pp. 202-4.

[2] Patrick's *Statutes of the Scottish Church*, vols. xliii.-xliv. Dowden's *Mediæval Church in Scotland*, pp. 239, 287-88.

[3] Knox's *Works*, vol. ii. pp. 225-26, 228, 230.

[4] *Ibid.*, vol. ii. pp. 225-26, 228.

[5] *Hist. Ecclésiastique*, vol. i. p. 218.

[6] Kuyper's *Johannis a'Lasco Opera*, vol. ii. pp. 228-30.

[7] *Hist. Ecclésiastique*, vol. i. pp. 216-20. Quick's *Synodicon*, vol. i.

[8] Kuyper's *Johannis a'Lasco Opera*, vol. ii. pp. 65-7, 228-29.

duties of the Scottish Consistory were: the administration of ecclesiastical discipline,[1] the management of general congregational affairs,[2] and, without the deacons, who would apparently be temporarily merged in the congregation, to take a leading part in the election of their ministers.[3]

In the matter of subjecting the members of the Church to ecclesiastical discipline some difference of opinion existed among the reformed churches. In Switzerland it has been pointed out that some of the Churches opposed the practice altogether, in particular, Zurich, at the Synod of St Gall in 1530.[4] Calvin's memorable struggle with the Genevan Magistracy in 1538 ultimately led to the adoption of ecclesiastical discipline in that city in 1541.[5] Those reformed churches which adopted the practice, differed as to the composition of the court which was to administer it, especially when dealing with office-bearers. According as the consequences of the doctrine of the priesthood of all believers was less clearly realised, there was a tendency to autocracy in the Church courts, and to a special treatment of office-bearers in distinction from laymen and ordinary Church members. Geneva was a typical example of the more autocratic form of Presbyterian Church government. Its Consistory was composed of ministers and elders without deacons,[6] while the personnel of the office of elder was still further limited by the condition that only magistrates could become elders.[7] Further, the exercise of ecclesiastical discipline over the ministers lay, not with the Consistory, which dealt with the rest of the Church, but with a special periodical meeting of fellow ministers.[8] The Scottish Consistory, composed of all three orders of office-bearers,[9] administered ecclesiastical

[1] Knox's *Works*, vol. ii. pp. 228, 230, 235, 236-37; vol. iv. pp. 177-78; vol. vi. p. 294.
[2] *Ibid.*, vol. ii. pp. 225-26.
[3] *Ibid.*, vol. iii. p. 190; vol. iv. p. 175; vol. vi. p. 293.
[4] Ruchat's *Hist. de la Réformation de la Suisse*, vol. ii. pp. 222-23.
[5] *Ibid.*, vol. v. pp. 157-58.
[6] *Johannis Calvini Opera*, vol. x. p. 29.
[7] *Johannis Calvini Opera*, vol. x. p. 22.
[8] *Ibid.*, vol. x. p. 20.
[9] Knox's *Works*, vol. ii. p. 237.

discipline in respect of superintendents, ministers, elders, deacons, and all members of the congregation, even to the rulers of the land at least in theory, with one and the same procedure for all.[1] The French Church was the only other ecclesiastical body which followed a method equally democratic,[2] and it seems highly probable that it was the new French constitution which the Scottish reformers had in view in this matter. This is rendered the more probable by the fact that, after 1560, the more elaborate system of courts which the growth of the Scottish Church necessitated, developed largely along the lines laid down by the French Church in 1559. A'Lasco's Consistory also dealt with all classes of offenders, and this is a possible model. But there is the difference, that in dealing with office-bearers, the same body met in special and less frequent session.[3]

The administration of congregational affairs was so generally entrusted to the Consistory in all reformed churches, that its enumeration among the duties of the Scottish Consistory provides no clue to the source of its adoption.

In assigning the Consistory its part in electing a minister, it has been shown, at an earlier point in this inquiry, that the Scottish polity of 1560 seems to have followed the model of Pullain's and a'Lasco's Churches.[4] In the matter of deposing a minister, neither the Scottish nor Pullain's nor a'Lasco's polity stated the responsible authority, leaving it to be inferred that the Consistory would be the most suitable body, as with it lay the disciplinary authority over ministers. On the other hand, the French Church explicitly quoted the Consistory as the authority responsible.[5]

On the whole the Scottish court seems to have been of composite origin, with a preference for the French model in its more important functions.

[1] Knox's *Works*, vol. ii. pp. 207, 228, 230, 233, 235-36, 237 ; vol. iv. pp. 177-78 ; vol. vi. p. 294.
[2] *Hist. Ecclésiastique*, vol. i. pp. 216-18.
[3] Kuyper's *Johannis a'Lasco Opera*, vol. ii. p. 230.
[4] *Supra*, pp. 38-39.
[5] *Hist. Ecclésiastique*, vol. i. p. 217.

There is a minor duty assigned to the Scottish Consistory by the *Book of Common Order*, which emphasises this composite origin by introducing a trait borrowed from Geneva. The Consistory was to settle disputed points of doctrine, referred to it by the Weekly Assembly for the Interpretation of Scripture.[1] This was a function of the Consistory peculiar to Geneva. It was characteristic of the influence of the magistracy in the Swiss Churches, that with the magistrates, not with the Consistory, lay the final decision in this matter in Geneva.[2]

The Exercise.

The Assembly for the Interpretation of Scripture is an excellent illustration of the apparent care with which the framers of the Scottish polity selected, from one model and another, those details, which they considered nearest the New Testament injunctions, or most suited to the conditions of Scotland. An assembly for the study and discussion of the Scriptures was exemplified among the Swiss Churches, where in Bâle,[3] Berne,[4] Lausanne,[5] and Geneva,[6] the ministers of the district met regularly for this purpose. Yet, in spite of Knox's deep admiration for Geneva, this assembly in Scotland was not modelled on these meetings, but on the democratic organisation arranged for such discussion in a'Lasco's Church. In this instance the whole congregation were expected to attend weekly, and all were eligible to contribute to the discussion.[7] The Scottish Assembly, also to meet weekly, was to be open to all office-bearers and members, of the town and district, and all men of parts were entitled and encouraged to

[1] Knox's *Works*, vol. iv. pp. 178-79 ; vol. vi. p. 294.
[2] *Calvini Opera*, vol. x. pp. 18, 96.
[3] Ruchat's *Hist. de la Réformation de la Suisse*, vol. ii. p. 77.
[4] *Ibid.*, vol. v. pp. 382-84.
[5] *Ibid.*, vol. iv. pp. 417-18.
[6] *Ibid.*, vol. v. p. 158. *Calvini Opera*, vol. x. p. 18. Kampschulte's *Johann Calvin*, p. 410.
[7] Kuyper's *Johannis a'Lasco Opera*, vol. ii. pp. 101-2, 104-5.

participate in the proceedings, with a view to discovering men suitable to train for the ministry.[1]

There is a striking resemblance between a'Lasco's London Church and Lambert's Hessian Church constitution of 1526 in the matter of these meetings for the study of the Scriptures. In the Hessian Church the whole congregation was to meet weekly on Sunday to transact all congregational business,[2] and one function which is mentioned is "To judge concerning the discourse of their Pastor." A'Lasco's prophesying was to consist of the congregation assembled for Sunday morning service, and its function was to give expression to all doctrinal doubts and objections on the part of the congregation, such doubts receiving answers and refutations from the ministers of the Word.[3] The Scottish Exercise embodied the Lambert-a'Lasco traits of being a weekly meeting open for participation to all Church members, while in describing its function as being the study and discussion of Scripture, rather than a solution of doubts arising from the Church's preaching, and in making it a district rather than a congregational affair, it proclaimed its connection with the Swiss, and especially the Genevan assemblies for this purpose.

The Superintendent's Council and the General Assembly.

On the basis of internal evidence up to 1560, it is not possible to form any opinion as to the origin of the remaining Church courts of the Scottish polity of that year, the Superintendent's Council and the General Assembly. It is not clear from the *Book of Discipline* whether the superintendent's "Counsall," mentioned in connection with the election of ministers,[4] is meant to refer to the Consistory of the superintendent's own congregation, or the assembly which was vaguely described as consisting of "the Ministeris and Elderis . . . of

[1] Knox's *Works*, vol. ii. pp. 242-43 ; vol. iv. pp. 178-79 ; vol. vi. p. 294.
[2] Richter's *Evangelischen Kirchenordnungen*, pp. 61-62.
[3] Kuyper's *Johannis a'Lasco Opera*, vol. ii. pp. 101-2.
[4] Knox's *Works*, vol. ii. p. 189.

the hoill Province over the whiche he is appointed oversear,"[1] and to the ecclesiastical discipline of which he was to submit.

The composition of "the gret Counsall of the Church"[2] was left undefined. The duties assigned to the General Assembly by the *First Book of Discipline* were three—To transfer a superintendent from one district to another,[3] or a minister from one Church to another,[4] and to receive from superintendents the yearly accounts of the congregations in their districts.[5] These matters are not such as were to be dealt with by any other contemporary Synod. However, it seems most probable that the suggestion for the formation of a Synod of national scope would come from France, as the French Church polity was the only one of the time which had constituted an ecclesiastical Synod, whose members represented one nation-wide Church.[6]

The Swiss diets, at which ministers from various Swiss Churches met together for the discussion of difficulties arising between them, cannot be considered as on a parallel with the French National Synod and the Scottish General Assembly. For the object of the Swiss diets was merely to maintain some degree of uniformity among separate Churches,[7] not to administer the common affairs of a national Church which was a corporate whole. Nor is it possible to consider those courts of a'Lasco's London Church, which conducted the common business of all the Foreign Congregations, as having supplied Knox and his colleagues with a precedent for the new national ecclesiastical assembly. For their membership was to include all the ministers, elders, and deacons of all their congregations,[8] and such a comprehensive principle of membership was evidently one which could only be applied within a purely local organisation.

[1] Knox's *Works*, vol. ii. p. 207.
[2] *Ibid.*, vol. ii. p. 226.
[3] *Ibid.*, vol. ii. p. 208.
[4] *Ibid.*, vol. ii. p. 194.
[5] *Ibid.*, vol. ii. p. 226.
[6] *Hist. Ecclésiastique*, vol. i. p. 216.
[7] Ruchat's *Hist. de la Réformation de la Suisse*, vol. ii. p. 360.
[8] Kuyper's *Johannis a'Lasco Opera*, vol. ii. pp. 68, 230, 234.

While it thus seems most probable that the Synode National was the model which suggested the institution of the Scottish General Assembly, the fact must not be overlooked that Lambert, in his Hessian constitution of 1526, had previously outlined the constitution of a central ecclesiastical court representing, through parish ministers and lay commissioners of congregations, a State Church of some extent.[1] There is no direct evidence that Lambert's constitution was familiar either to French or Scottish reformers. But, on the other hand, there is nothing improbable in the supposition that it might have been known to both sets of reformers, and it should be regarded as a possible source of suggestion in either the French or the Scottish polity.

It was left to the practical experience of the years following 1560 to develop and define the spheres of activity of the National Assembly, and to introduce intermediate courts, which would link up the General Assembly with the congregational Consistories.

There remain to be examined two more aspects of the Scottish polity of 1560—the relations of the people organised in congregations to the government of their Church, and the relations between the Church and the civil magistracy.

The Members of the Congregations.

In the Scottish Church there were a number of administrative functions to be performed directly by Church members. Most important of these was the responsible part which they played, as has been previously explained, in the elections of ministers,[2] elders,[3] and deacons,[4] a practice traced to the examples of Pullain's and a'Lasco's Churches. Another reminiscence of a'Lasco's polity was the duty and right of all to attend the Weekly Assemblies for the Interpretation of Scripture, and

[1] Richter's *Evangelischen Kirchenordnungen*, p. 64.
[2] Knox's *Works*, vol. ii. pp. 189-91 ; vol. iv. pp. 175-76 ; vol. vi. p. 293.
[3] *Ibid.*, vol. ii. pp. 152-53, 233-34 ; vol. iv. p. 176 ; vol. vi. p. 293.
[4] *Ibid.*, vol. ii. pp. 152, 225, 233-34.

to take part in them.[1] A minor right enjoyed by Scottish congregations was that of giving advice on any disputed outlay by the deacons from Church funds.[2] This may also be traced to the influence of a'Lasco, as in the Church of the Foreigners the people were present as spectators at the Assembly to receive the deacons' accounts.[3] Another minor point in the Scottish polity was the necessity for obtaining the consent of the congregation before the pronouncing of sentences of excommunication passed by the Consistories.[4] The complementary right of objecting to sentences of excommunication had appeared in a'Lasco's Church.[5] This enumeration of the rights and duties of members of congregations in Scotland illustrates the democratic influence, in the matter of Church government, exercised by the example of the polity of a'Lasco on the early form of the Scottish polity. All these powers of direct action by the members of congregations appeared in Lambert's Hessian Church constitution of 1526.[6] But from the particular manner in which these powers were to be exercised in Scotland, it seems certain that Knox took a'Lasco's Church as his model in these matters. At the same time the pronouncedly democratic spirit pervading the polity of the London Church of the Foreigners, is very suggestive of a'Lasco's having been himself deeply impressed at some time by the Hessian constitution.

Ecclesiastical Discipline.

The emphasis laid on the exercise of ecclesiastical discipline by the early Scottish Church, has been popularly regarded as conclusive proof of the predominant influence of Geneva upon the Scottish polity.

[1] Knox's *Works*, vol. ii. pp. 242-45 ; vol. iv. pp. 178-79 ; vol. vi. p. 294.
[2] *Ibid.*, vol. ii. p. 226.
[3] Kuyper's *Johannis a'Lasco Opera*, vol. ii. p. 229.
[4] Knox's *Works*, vol. ii. p. 230 ; vol. iv. p. 205 ; vol. vi. p. 333.
[5] Kuyper's *Johannis a'Lasco Opera*, vol. ii. p. 183, lines 25-32.
[6] Richter's *Evangelischen Kirchenordnungen des XVI^ten Jahrhunderts*, pp. 61-63.

In so far as Calvin was the first reformer to regard the exercise of discipline by the reformed church, independently of the State, as of fundamental importance, Calvin's opinions were undoubtedly the ultimate source of ideas on ecclesiastical discipline in Scotland, as elsewhere.

On the other hand, the question as to which was the immediate example followed by Knox and his collaborators, is an entirely different matter, and one much less easily settled.

Apart from the participation of the State authorities in the administration of the Church's discipline in St Gall, Bâle, Zurich, Berne, and Lausanne, the disciplinary procedure was so nearly identical in these Churches, in Lambert's Hessian constitution, in Geneva, in the French and Dutch Calvinistic Churches, and in a'Lasco's and Pullain's polities, that a comparative study of these procedures with that in the Scottish Kirk, gives no clue to the particular source whence the Scottish reformers drew, in laying down their disciplinary regulations.

Two points have already emerged in the course of our inquiry, which supply inconclusive evidence on the matter.

One point lies in the fact that Knox declared that he believed in the necessity for ecclesiastical discipline in the reformed churches, when called before the English Privy Council in 1553,[1] before he had been in Geneva at all. This suggests that his first acquaintance with such discipline had arisen from his early connection either with the French Church, or with a'Lasco's or Pullain's English polities. In this connection it may be added, that Mitchell considers that the "Order of Excommunication and of Public Repentance," drawn up by Knox in 1569, "coincides remarkably throughout both in general structure and in language with those of a'Lasco" (in his *Ratio ac Forma Poenitentiæ* and his *Modus ac Ritus Excommunicationis*), "so that there can be no question that the one is derived from the other."[2]

The second instructive point lies in the possibility of com-

[1] Knox's *Works*, vol. iii. p. 86.

[2] Mitchell's *The Wedderburns and their Work*, p. 81.

paring the varieties in the membership of the Consistories administering ecclesiastical discipline in the different Churches. We have already pointed out,[1] that as regards the composition of the Scottish Consistory, the balance of evidence is in favour of the French Church as the model followed.

That all estates in the realm were to be subject to ecclesiastical discipline, was a principle which had been emphasised in Wishart's translation of the Helvetic Confession,[2] enunciated by Calvin,[3] and maintained by Knox as a fundamental of the Scottish Reformation.[4] In Geneva,[5] as in Scotland,[6] the master of a household was to be held responsible for the religious instruction of his children and servants. In Geneva,[7] in the French Church within limits,[8] in Pullain's Church,[9] and in the Scottish Church,[10] those excommunicated were to be allowed the privilege of attending public preaching. So far as our evidence goes, it seems that the peculiarly composite origin of Scottish ecclesiastical institutions is once more exemplified, in this matter of the administration of discipline.

The Relation of the Civil Power to the Kirk.

There was one more point, in which the influence of the Swiss Reformation clearly appeared in the Scottish polity of 1560, that of the relation of the civil power to the Church. The relationship sketched out did not prove workable in practice. In the early years of the Scottish Reformation it remained purely theoretical. Up till 1567 the actual relation of the Scottish crown to the reformed church was almost continuously one of passive resistance. In the latter half of the sixteenth century, the handling of the problem of Church and State, which is reflected in the ecclesiastical theories of 1560,

[1] *Supra*, p. 50.
[2] Roger's *George Wishart*, p. 58.
[3] *Calvini Opera*, vol. ii. p. 851, lines 38-45.
[4] Knox's *Works*, vol. ii. p. 233.
[5] *Calvini Opera*, vol. x. pp. 10-11, 52.
[6] Knox's *Works*, vol. ii. p. 241.
[7] *Calvini Opera*, vol. x. pp. 10-11.
[8] *Hist. Ecclésiastique*, vol. i. p. 218.
[9] *Liturgia Sacra*, etc.
[10] Knox's *Works*, vol. ii. p. 231 ; vol. iv. p. 206 ; vol. vi. p. 333.

was to prove impracticable in the political circumstances of the time.

The reformers of 1560 were evidently imbued with the Swiss view, that the power of the civil magistracy should be available to defend the Church against Roman Catholicism,[1] to assist it in difficulties of internal administration,[2] and to guard the doctrinal purity of the Church.[3] This guarding of the Church's orthodoxy appeared also in theory in Wishart's Helvetic Confession,[4] in the Churches of Bâle[5] and Berne,[6] and received a practical application in Geneva, in the arrangement for the referring of disputed points of Scriptural Interpretation by the ministers and elders to the magistracy.[7] In the matter of internal administration, the *First Book of Discipline* specially mentioned that the magistracy was to deal with cases of wilful ignorance where excommunication had failed, presumably by civil punishment,[8] and to compel men of suitable gifts to enter the ministry.[9] This supplementing of the ecclesiastical power by that of the magistracy, in matters of Church discipline, has prototypes in Wishart's Helvetic Confession,[10] in Bâle,[11] Zurich,[12] and Berne,[13] and in Geneva.[14]

The *First Book of Discipline* gave the local magistrates of the superintendent's town a direct voice in the election of their superintendent.[15] There is a reminder here of the Genevan magistrates, who, with the ministers, were to choose some of their own number to serve as visitors,[16] and also of

[1] Knox's *Works*, vol. ii. pp. 186, 188, 254.
[2] *Ibid.*, vol. ii. pp. 195, 202-3, 205, 241, 245, 246, 254.
[3] *Ibid.*, vol. ii. p. 187.
[4] Roger's *George Wishart*, p. 72.
[5] Richter's *Evangelischen Kirchenordnungen des XVI^n Jahrhunderts*, vol. i. p. 121, lines 13-16, 35-43.
[6] *Ibid.*, vol. i. p. 105, par. III.
[7] *Calvini Opera*, vol. x. pp. 18, 96.
[8] Knox's *Works*, vol. ii. p. 241.
[9] Knox's *Works*, vol. ii. pp. 195, 245.
[10] Roger's *George Wishart*, p. 72.
[11] Richter's *Evangelischen Kirchenordnungen des XVI^n Jahrhunderts*, vol. i. p. 105, par. III.
[12] *Ibid.*, vol. i. p. 170, last two paragraphs.
[13] *Ibid.*, vol. i. p. 121, first paragraph.
[14] *Calvini Opera*, vol. x. pp. 10-11.
[15] Knox's *Works*, vol. ii. p. 206.
[16] *Calvini Opera*, vol. x. pp. 46, 98.

a'Lasco's arrangement, that, in case of disagreement in the London Church over the election of a superintendent the decision was to rest with the King of England.[1]

Summary of Conclusions in regard to the Kirk of 1560.

So far as may be judged from the internal evidence to be gathered from a comparative study of the polity of the Scottish Church of 1560, that Church appears to be highly composite in origin. The Churches of Bâle, Zurich, and Geneva, the Edwardian Church of England, a'Lasco's and Pullain's Churches, the French reformed church, and possibly Lambert's Hessian polity of 1526, all contributed to the Scottish constitution. The Scottish polity apparently followed the lines of the Churches of a'Lasco and Pullain, and possibly of Lambert, in the election of ordinary office-bearers; of the French Church and of that of a'Lasco in regard to their duties and discipline. In the matter of the constitution of Consistories, the examples of the French Church, and of those of a'Lasco and Pullain, were made use of; the French Church probably, and Lambert's Hessian constitution possibly, suggested the General Assembly of the whole national Church; and a'Lasco's Church supplied the model for the Scottish Assembly for the Interpretation of Scripture. The Scottish polity embodied rights declared by a'Lasco to pertain to members of the Church, in the matter of excommunications, and in regard to disputed financial outlay in the congregation. The purely Genevan example was followed in some details of the administration of ecclesiastical discipline, the general procedure followed being somewhat more analogous to a'Lasco's administration than to that of Geneva; in some aspects of the offices of superintendent and doctor; in the minor duty of the Consistory to give a decision in doctrinal disputes; and in the early theories of the Scottish reformers on the problem of the relations of Church

[1] Kuyper's *Johannis a'Lasco's Opera*, vol. ii. p. 68.

and State. The reformed English Church of Edward VI. seems to have suggested the chief duty of the Scottish superintendent. The influence of Zurich was extremely slight. It served merely to supply earlier examples of the visitor and the reader, the more direct models for the two offices being supplied by Geneva and Bâle, and the Scottish offices being in the main original in the Scottish Church.

It has become apparent, in the course of this inquiry, that Scotland in 1560 had made little contribution of her own to progressive development in reformed church government. This position was inevitable, in view of the fact that, within two years of the organisation of the first Presbyterian congregations in Scotland, the secular government had demanded that the reformers should draw up a constitution for a national Church. With so limited an experience in Scotland, they were bound to look abroad for guidance—to their own experiences in exile, and to the example of foreign Protestant Churches. The only originality, observable in the Scottish polity, lay in adapting to the peculiar and temporary needs of Scotland the two offices of superintendent and reader.

On the other hand it is clear that the Scottish Reformation movement did not consist in the blind following of any one foreign polity as a model, or of the policy of any one foreign reformer. Of the diverse Church polities, familiar to the Scottish reformers, there is internal evidence that the strongest influences on the formation of the Scottish ecclesiastical constitution of 1560 were exercised by the reformed church of France, and by those of a'Lasco and of Pullain. But it was the most progressive features in each of these that had most strongly influenced the Scottish Church. It is clear that the Scottish polity was founded on the most progressive ecclesiastical thought of its time, that, in its governmental principles, it began far in advance of the Genevan model, whose great founder inspired Knox with his own indomitable missionary spirit.

CHAPTER III

THE SECOND PHASE IN THE DEVELOPMENT OF THE SCOTTISH REFORMED POLITY—THE ORIGINS OF THE NEW DEVELOPMENTS APPEARING IN THE POLITY BETWEEN 1560 AND 1574.

I. The General Problem presented by the Second Part of the Inquiry and the Method of Dealing with It.

The Conditions of the Second Part of the Inquiry.

THE constitution of the Scottish reformed church of 1560 had laid down essential principles of Presbyterian Church government. But it was more of the nature of a sketch than of a finished picture. As an ecclesiastical polity for a national Church, the constitution was incomplete, and two of its offices proved to be temporary expedients.[1] We have seen that there was a wide gap in the administrative machinery of the Church, between the single congregation and the superintendent's council. The office of superintendent itself had been designed to fill this gap temporarily. Between 1560 and 1592, the plan of making use of superintendents was tried and found wanting, the new institution of the Presbytery was devised, and other parts of the constitution were somewhat altered, to bring them into their proper relation with the new arrangement of the polity.

Within this period, there developed the early phases of the long struggle between King and Church in regard to the office of bishop. Two ecclesiastical circumstances made such a struggle possible—(1) The unsatisfactory financial arrange-

[1] Knox's *Works*, vol. ii. pp. 195-96, 202-3.

ments of the reformed church, which left the sources of income of the ministry entirely in the hands of the Crown up to 1567:[1] (2) The actual use, by the Church, of superintendents, for the fulfilling of duties which were equally consistent with the office of bishop.[2] For the student of the general history of the Scottish Church, this struggle forms the main interest of the period. But from the point of view of a study of the origins of Presbyterian institutions, it is less important, except in so far as it forced on the question of a substitute for the office of superintendent, which would be more in harmony with Presbyterian principles of Church government.

The party favouring the introduction of episcopal forms of government into the Scottish Church succeeded in 1572 in inducing the Kirk to adopt the titles of bishops and archbishops. This was, however, rather a nominal than a real victory. For the fundamentals of Presbyterian Church government were but slightly affected by the change. Moreover, unwilling acquiescence in the old titles only served to spur on those who were guiding the administration of the Scottish Kirk in the General Assemblies, in their search for a more satisfactory solution of the problem of local ecclesiastical administration. The problem was solved by the institution of the new court of the Presbytery. The remodelled constitution was outlined in the *Second Book of Discipline* in 1578, and received legal recognition as the polity of the Church of Scotland in 1592.

The course of the constitutional history of the Scottish Kirk from 1560 to 1592 is clearly divided into two parts. From 1560 to 1574 the Scottish reformed church was being built up, as far as conditions allowed, according to the plan laid down by Knox and his colleagues in 1560; between 1575 and 1592 the leaders of the Kirk were definitely engaged in remodelling its polity, in order to enable the Church to meet the

[1] Knox's *Works*, vol. ii. pp. 301, 310, 529. *Privy Council Register*, vol. i. pp. 201-3. *Act Parl. Scot.*, vol. iii. p. 24.

[2] *Acts of the General Assemblies of Church of Scotland*, vol. i. p. 209.

demands on its local administrative machinery, without having recourse to episcopal organisation.

That the Church regarded the principles of 1560 as their main guide during the earlier years, is clear from the records of the General Assembly. In 1562 the *Book of Discipline* and the Order for the Election of Superintendents were referred to as the authority for the relations between ministers and superintendents,[1] and the *Book of Geneva* or the *Book of Common Order* as the liturgical guide to be followed.[2] In 1570, those requiring information as to the jurisdiction of a superintendent were referred to the *Book of Discipline*.[3] In 1571, again, a dispute as to the jurisdiction of a superintendent was referred to the directions of the *Book of Discipline*;[4] and, in 1572, it was ordained that every Province should be possessed of the extracts from the *Book of Discipline* relating to superintendents.[5] In 1574 the conditions of the commissions, issued to Commissioners from the General Assembly to visit certain districts, were defined as in terms of the *Book of Discipline*.[6] In 1576 the qualifications enabling a reader to remain in office, were declared to be those defined in the *Book of Discipline*.[7] Even in 1582, the "Ordour of the Electioun of Elderis and Deaconis in the Privie Kirk of Edinburgh in the begynning," was recommended as the best guide in the choosing of elders.[8]

But the Scottish reformed church constitution of 1560 left much of the detail of the polity indefinite and undefined, and the arrangements for the local administration of ecclesiastical business incomplete. The development of the details of the theory of Presbyterian Church government after 1560 are clearly traceable in the transactions of the General Assembly, in the remodelled Church polity of the *Second Book of Discipline*, and in the Acts of the Scottish Parliament.

[1] *Acts of General Assemblies*, vol. i. p. 15.
[2] *Ibid.*, vol. i. pp. 30, 312.
[3] *Ibid.*, vol. i. p. 179.
[4] *Ibid.*, vol. i. p. 195.
[5] *Ibid.*, vol. i. p. 266.
[6] *Ibid.*, vol. i. p. 312.
[7] *Ibid.*, vol. i. p. 372.
[8] *Ibid.*, vol. ii. p. 568.

The Lack of Direct Evidence.

As was the case in the period ending in 1560, there is no contemporary statement, either by any leading Protestant or in an official document, that any existing Church constitution was regarded by the later Scottish Protestants as a model, to be followed in any respect in developing these details. On the contrary, in 1578, the General Assembly, in requesting the support of some of the nobility for a new *Book of Discipline*, carefully pointed out "quhat care and studie the Kirk of God had tane to interteine and keip the puritie of the sincere word of God unmixt with the invention of their awin heids, quhilk thair speciall care was to preserve to the posteritie heirafter . . . in that part have they also imployit thair witt and studie, and drawin foorth from the pure fontaines of God's word, sic a discipline and policie as is meit to remaine within the Kirk."[1]

Yet, notwithstanding this statement, it has already been pointed out, that in order to transform the meagre references of the New Testament in regard to the organisation of the Apostolic Churches, into a national Presbyterian constitution suited to sixteenth-century life in Scotland, the reformers were inevitably obliged to have recourse to some admixture of "the invention of their awin heids," or of that of others.

The Method of Attacking the Problem.

Hence, as in the earlier part of our investigation, if we are to discover the origins of the newer Scottish Presbyterian institutions, as they appear in these later years of the sixteenth century, we are forced to follow our earlier method of inquiry once more. We must first ask: From the antecedents of the leaders in the Church, may we expect the example of other polities to continue to influence the development of the Scottish Church?

The course of events in Scotland from 1560-72 shows Knox as the dominating leader in all matters both ecclesiastical and

[1] *Acts of the General Assembly*, vol. ii. p. 419.

political. From 1575 onward Andrew Melville became an ecclesiastical leader of recognised pre-eminence,[1] the protagonist of Presbyterian Protestantism in Scotland, as opposed to an Episcopal Church organisation.

It would appear from the earlier part of our investigation, that wherever Knox was active, there his ardent interest in foreign forms of Protestantism could not fail to penetrate. In regard to Andrew Melville, when we come to take note of his studies in France, and his years as a professor in the Academy of Geneva, it will be clear that the influence of the Protestant Churches of the Continent upon the Scottish Kirk would not be likely to pass away on the death of Knox.

We may then proceed to take our cue from the personal experiences of such leaders in the congregation as Knox and Melville, in selecting the constitutions of those reformed churches, whose further development must be studied for the purposes of comparison with later developments in the Scottish polity. This comparison, together with consideration of the general course of ecclesiastical and political affairs in Scotland, may be expected to throw some light on the origins of the new ecclesiastical institutions, and on the later developments of the old.

II. The Earlier Ecclesiastical Experience of Leading Scottish Protestants.

John Knox.

That Knox's personality was the main driving and inspiring force behind the mid-century Reformation movement in Scotland, is apparent from the accounts that have come down to us.[2]

We have seen him, with a small committee, drawing up the Confession of Faith,[3] and the *First Book of Discipline*,

[1] M'Crie's *Life of Andrew Melville*, vol. i. pp. 125-26.

[2] Knox's *Works*, vol. ii. pp. 92, 128, 132, 297-99, 347, 377, 405, 414, 415, 424-61, 517, 541-44. *Acts of the General Assembly*, vol. i. pp. 37, 38-39, 73, 84-90, 113.

[3] Knox's *Works*, vol. i. pp. 326, 441-43, 466-73; vol. ii. pp. 8-9, 15-43, 137, 156, 347, 351, 563.

and later he devised the Manner of Fasting,[1] and the Form of Excommunication.[2]

His parish was from the first that of the capital. But we hear of his preaching also before the assembled Protestant Lords, whenever a crisis arose, wherever those leaders might be. In 1562, 1565, and 1567 the General Assembly commissioned Knox to preach, and to superintend the organisation of the Churches over wide areas of the Lowlands. He it was who exhorted and rebuked the great and the powerful, such as the Lord James Stewart and the Earls of Argyll and Arran. With his last reserve of strength he protested in 1572 against the introduction of bishops into the Scottish Kirk.[3]

In 1563 the General Assembly acknowledged that the Church looked to Knox to call the Protestants together whenever danger threatened the cause and had found him zealous in doing so. Accordingly, in 1566 again, we find him warning the professors that a grant of jurisdiction to the Bishop of St Andrews threatens the Church's rights, and drawing up a petition on the subject to the Privy Council. In the earlier struggle for recognition of the reformed church, we hear of his helping in the organisation of the military defence of Edinburgh; remonstrating by letter with the French Ambassador, the French General, and the French soldiers, for their using arms against Scotsmen born; urging the deposition of the Queen Regent; organising negotiations with England for a Protestant alliance, and by his correspondence keeping himself posted in the situation in France; in 1562 calming the south, and organising the military measures of the Lords of Carrick and Kyle, while Huntley was plotting in the north; in 1564 giving expression to the Protestant view of the respective limits of the duties of Princes and subjects one to another; in 1566 negotiating with others to bring in the Hamiltons and the neutral Lords against Queen Mary; in

[1] Knox's *Works*, vol. vi. p. 389.
[2] *Ibid.*, vol. vi. p. 390.
[3] Hume Brown's *John Knox*, vol. ii. pp. 271-72.

1567, as the Kirk's veteran representative, preaching the sermon at the coronation of King James.

Hence we must continue to regard Knox's opinions as highly influential in the Councils of the Church to the end of his career.

In considering the foreign influences which Knox had encountered prior to 1560, those of England, Geneva, and France were found to be the chief. During his later years no occasions for new foreign influences arose. Knox was only once or twice out of Scotland for short periods, and on these occasions he visited England.[1] There is no evidence that any parties of exiled Protestants sought refuge in Scotland, only one or two families of refugees being referred to.[2] In England, before 1560, two groups of men had influenced Knox—a'Lasco's Church of the Foreigners, and the English Puritans. A'Lasco's Church had been broken up during Queen Mary's persecution, and, in its renewed life under Elizabeth, it had no superintendent of international influence and reputation such as a'Lasco, who had died in Poland in 1560.[3] On the death of Edward VI. the English Puritan party lost its political power, and under the firm rule of Elizabeth struggled in vain to influence the official development of the English Reformation. Knox still clung to England as a political ally, and as the one strong bulwark of Protestantism against Roman Catholicism. But, under Elizabeth's policy of "the middle way," he could look for no ecclesiastical inspiration from England.

There remain the influences of France and Geneva. The earlier part of our investigation has shown Knox himself to be peculiarly sensitive to the examples both of France and Geneva.

At this time a motive of fear and a motive of sympathy combined to intensify the interest of the Scottish Protestants

[1] Knox's *Works*, vol. ii. pp. 32-34. *Acts of the General Assembly*, vol. i. pp. 84-88.

[2] *Acts of the General Assembly*, vol. i. p. 306; vol. ii. pp. 462, 551, 655, 657.

[3] Hermann Dalton's *Johann a'Lasco*: Moens, the Dutch Church Registers, London, Introduction, p. xx.

generally in French policy. While Queen Mary of Scotland and her son, in turn, wore the Scottish crown, and while Elizabeth refused to recognise directly their right to succeed her on the English throne, there continued to be an ever-present danger of a closer alliance between the Stuarts and Roman Catholic France. It was evident, from the religious persecutions and massacres in that country, what such an alliance would mean to Scottish Protestants. Thus it became the part of prudence for both the ecclesiastical and the political leaders in Scotland to watch events in France most closely. Knox's personal admiration for Calvin and his work[1] was sufficient surety for his keeping alive a special interest in Geneva among the Scottish Lords and Congregation. But in addition, as the city of refuge of the French, and the training school of their preachers, it was impossible to separate sympathy with the Protestants of France from admiration for the work of the Church of Geneva.

The Five Johns.

We may take it that the other five compilers of the *First Book of Discipline* would also continue to be influential members of the General Assembly in the years following 1560, and we are confirmed in this assumption, by finding that Spottiswoode, Winram, and Willok were among the first superintendents appointed in the new Kirk.[2] We have already pointed out[3] that the predominant foreign interests of these men lay in the reformed churches of France and England.

Robert Pont.

One other name should be added to the list of those ministers who would seem most likely to have contributed to forming the polity of the Scottish Kirk during these years—

[1] Knox's *Works*, vol. ii. p. 137; vol. iv. p. 240. M'Crie's *Life of Knox*, pp. 336-37.

[2] Knox's *History*, vol. ii. p. 87.

[3] *Supra*, pp. 31-37.

that of Robert Pont. He acted as Commissioner of the General Assembly for Moray, Inverness, and Banff in 1563, and was appointed superintendent of the North in 1564. He was on the committee appointed in 1566 to decide difficult questions submitted to the General Assembly. In the same year he was requested to revise a reply to Bullinger's book on *The Habits of Preachers*, while his own translation of the "Helvetic Confession" received the approval of the Assembly, and a year later he was asked to revise Knox's "Order of Excommunication." His knowledge of law was recognised to be so valuable that in 1572 he was appointed a Senator of the College of Justice.[1] Unfortunately for our particular purpose, we do not know where he received his training in law. Thus we cannot identify his foreign interests more definitely than to point out that French and Italian universities were the centres most attractive to students of law in the sixteenth century. On the other hand, his translation of the "Helvetic Confession" and the answer to Bullinger, remind us that we must not ignore the possibility of the influence of Swiss ecclesiastical example after 1560. Others besides Pont apparently watched the course of reform in Switzerland, for in 1560 a meeting of superintendents and ministers at St Andrews sent a letter to Béza expressing their approval of the "Helvetic Confession."[2]

John Carsewell.

Knox has mentioned two other men as among the superintendents appointed in 1560—John Carsewell and John Erskine, Laird of Dun. Of Carsewell's earlier life nothing is known beyond the fact that he had been Roman Catholic rector of Kilmartine.[3] As he does not seem to have taken a prominent part in Church affairs, we may regard his influence as unimportant from our point of view.

[1] Wodrow's *Lives of the Reformers*, pp. 163-71.

[2] Knox's *History*, vol. ii. p. 534. *Parker Society Zurich Letters* (2nd Series), pp. 362-65.

[3] M'Crie's *Life of Knox*, p. 196.

The Laird of Dun and the Earl of Moray.

On the other hand, the name of the Laird of Dun may be coupled with that of Lord James Stewart, later Earl of Moray, as those of the two laymen in the Protestant party, whose opinions perhaps carried most weight in the General Assembly. Since the new Scottish Church had adopted a Presbyterian form of government, the leading laymen in the country could and did sit as elders, and occasionally as superintendents or doctors, in that General Assembly, through whose transactions the reformed polity was moulded, while for many years the Queen's advisers seem to have been accepted as *ex-officio* members of Assembly. Further, in the particular circumstances of the second half of the sixteenth century in Scotland, the reformers were greatly dependent on the material and military support of the Protestant Lords, in carrying on their reforming mission, and could not afford to ignore their opinions in matters ecclesiastical. These circumstances make it advisable, for our purposes, to look for guidance not only into the life-histories of the ministers, but also into those of the most influential of the Protestant Lords. It is probable that the Laird of Dun studied in France in his youth, since it seems that he had studied somewhere abroad, and he certainly procured a schoolmaster for Montrose from that country, in his earlier years. Further, he applied for licences to travel there and in Italy in 1537 and in 1542, and was one of the Commission for Scotland at Queen Mary's marriage in 1558.[1]

The Lord James Stewart was in France in 1548 for the purpose of studying in the "Sculis," in 1550, in 1552, in 1558, and again in 1561, travelling by way of England. As the natural brother of Queen Mary, and as one of the earliest and most powerful leaders in the congregation which looked to England for an ally, his foreign interests in matters French and English must have been sufficiently keen to lead him to

[1] *Dictionary of National Biography*, pp. 419, 420. Wodrow's *Lives of the Reformers*, vol. i. p. 5. Knox's *History*, vol. i. p. 263, note.

keep himself fully informed in regard to the progress of Protestantism in these two countries.

Here again France and England are indicated as possible foreign examples influencing the development of the Scottish reformed polity.

The Duke of Châtelherault and the Earl of Arran.

These same foreign influences are repeated in the cases of the Duke of Châtelherault and his son the Earl of Arran. Although the Duke had accompanied James V. to France in 1536, he was apparently not again abroad till his banishment in 1566,[1] by which time his vacillating policy had completely destroyed his influence with all the parties in Scotland. Yet the Scottish Protestants hoped much in the early years of the Reformation from the support of the second person in the Kingdom, and for some years after 1560 his opinions must have carried weight. It is clear, from his constant diplomatic intrigues with both England and France, that he must have been thoroughly conversant with affairs ecclesiastical and political in both these countries.

The interests of the Duke of Châtelherault's, son, the young Earl of Arran, were more predominantly French. He had lived in France for about ten years, prior to his return to Scotland as an active Protestant in 1559, fighting in the French wars as an officer in the Scots Guard, and it was in France that he became a convert to Protestantism.[2]

The Earl of Glencairn.

Yet another Protestant Lord had had personal intercourse with the French and the English, Alexander, fifth Earl of Glencairn, one of the most capable and zealous of the leaders of the congregation. In 1543 he was living in England as a hostage for his father's efforts on behalf of the English alliance,

[1] *Dictionary of National Biography*, pp. 168-70.
[2] *Ibid.*, pp. 173-74.

and in 1559 and 1560 we find him active himself in promoting an alliance between the Scottish Protestants and Elizabeth.[1] On the other hand, in 1550-51, already in sympathy with the Protestant cause,[2] he had accompanied Mary of Lorraine on her year's visit to France.

The Earl of Argyll.

Alone among the Protestant Lords, Archibald, Earl of Argyll, seems unlikely to have received any bias from foreign Protestantism. There is no evidence of his ever having travelled abroad during his long and active life.[3]

George Buchanan.

Among the Protestant laymen of the time, George Buchanan stood in a unique position. Hume Brown has made it clear that he was a humanist and an educationist firstly and secondly, and only thirdly a reformer.[4] Yet that member of the General Assembly, who was appointed to one of its important commissions on his first appearance in that Church Court in 1563, was reappointed to equally important commissions in the three following years, and guided its sessions as Moderator in 1567,[5] cannot but be regarded as an influential Protestant. There can be no doubt as to which among the European countries attracted Buchanan's interests and affections. From 1520-61 much the greater part of Buchanan's time was spent in France.[6]

Perhaps the four other reformed ministers most prominent at this time in the records of the General Assembly and Knox's *History*, were George Hay, David Ferguson, John Craig, and David Lindsay.

[1] *Dictionary of National Biography*, pp. 303-5.
[2] Knox's *History*, vol. ii. pp. 240-41.
[3] *Dictionary of National Biography.*
[4] Hume Brown's *George Buchanan*, pp. 1-4, 115, 159-60, 354-58.
[5] *Ibid.*, p. 190. *Acts of the General Assembly*, vol. i. p. 93.
[6] Hume Brown's *George Buchanan.*

George Hay.

Of these George Hay and David Ferguson appear never to have been abroad, and we have no clue to their foreign interests. But as George Hay had been a Roman Catholic priest up to 1599 or 1560, we might expect the influence of the old Church constitution to continue in his person. Accordingly we find him to be one of those arguing in the General Assembly of 1575 in favour of episcopacy.[1]

John Craig and David Lindsay.

John Craig is known to have been converted while Rector of the Dominican College of Bologna, by reading Calvin's *Institutio Religionis*.[2] Of David Lindsay it is recorded that he imbibed Protestant doctrines while travelling in France and Switzerland.[3] Here we have the influence of France again, and if the term Switzerland includes Geneva, Craig and Lindsay may both have favoured distinctively Genevan institutions.

From this survey of the ecclesiastical interests of the leaders of the Scottish Church during the years 1560 to 1572, it appears that for the purposes of our investigation, we must still compare developments in Scottish ecclesiastical institutions with the contemporary reformed polities of France, England, and Switzerland, and must not lose sight of a possible influence of the old Roman Catholic organisation. The marked predominance of interest in French affairs would lead us to expect a correspondingly marked influence of the French Church polity during this period. On the other hand, in view of the reports of Randolph, English ambassador in Scotland, on the lack of favour with which the Scottish reformers regarded the government of the Elizabethan Church,[4] it does not seem probable that the example of the English polity will be found to have influenced the shaping of the Scottish constitution.

[1] M'Crie's *Life of Andrew Melville*, vol. i. p. 137.
[2] *Dictionary of National Biography*. [3] *Ibid.*, p. 297.
[4] Knox's *Works*, vol. vi. pp. 119, 138, 139.

III. The Constitutional Developments of the Period 1560 to 1574 traced to their Sources.

The Deficiencies of the First Polity.

The *First Scottish Book of Discipline*, added to the separate "Orders" for the election of superintendents, elders, and deacons, and the liturgical instructions of the *Book of Common Order*, had dealt very fully with the appointment and duties of the office-bearers in the reformed church, with their relations to one another and to their people, and with the ecclesiastical discipline, to which all alike were to be subject. These early directions dealt with scattered congregations, and gave very meagre instructions for the holding of those assemblies of the Kirk, which were to administer the ecclesiastical business of wide areas, and of the Church as a national unit. Accordingly, in the years succeeding 1560, we find the General Assembly defining the composition and jurisdiction of these courts.

It has been pointed out that in 1560 the Church courts had been declared to be of four kinds—the Consistorie,[1] the Weekly Exercise in each district for the Interpretation of Scripture,[2] the Superintendent's Council,[3] and the General Assembly[4] of office-bearers representing the several congregations in the national Church. In the organisation of single congregations, the European reformers had had ample experience. The Scottish reformers of 1560 could draw upon this experience, and, knowing the kind of work which it would be necessary for the Consistory to undertake, could set down at once very full regulations for its guidance.[5] Similarly, in the case of the Scottish Assembly of the Exercise, such meetings had previously been held in Switzerland and in a'Lasco's Church

[1] Knox's *Works*, vol. ii. pp. 228, 230; vol. iv. pp. 177-78.
[2] *Ibid.*, vol. ii. pp. 242-45; vol. iv. pp. 178-79.
[3] *Ibid.*, vol. ii. pp. 189, 206-7.
[4] *Ibid.*, vol. ii. pp. 194, 208, 226.
[5] *Ibid.*, vol. ii. pp. 207, 225-26, 228, 230, 233, 235-36, 237; vol. iv. pp. 175, 177-78.

of the Foreigners in London. Consequently the Exercise appeared from the first in Scotland in full working order.[1]

With regard to the national organisation of a reformed church on a Presbyterian basis, the case was quite different. The only similar attempt was almost contemporaneous with the setting up of the Scottish polity. In 1559 a doctrinal dispute in one congregation in France, had forced the Huguenot leaders to the decision, that it was necessary for the success of their cause that the scattered congregations of France should be united in one organisation.[2] Thereupon the first Synode National had drawn up a "Confession de Foi" and a form of "Discipline Ecclésiastique," which constituted such a national Church organisation as seemed necessary to the persecuted Church of France.[3] We have seen how deeply this French polity had influenced the ecclesiastical constitution of the *First Scottish Book of Discipline*, even though it was in itself of the nature of an experiment.

In 1560 the Scottish reformers had omitted to lay down details in the matter of their National Assembly.[4] In regard to the local organisation of the Churches, they had provided the superintendent and his council as the only link[5] uniting the congregations of a district. The fact that the chief duties of the superintendents were to preach and to plant churches,[6] emphasises the missionary nature of the work to be undertaken by the Scottish reformed church for the time being. The French Church, though issuing its reformed polity only one year before the reformers in Scotland issued theirs, had previously passed that first stage, during which the main effort of reformers must be directed to delivering their message, and organisation had become an imperative need.[7] Political

[1] Knox's *Works*, vol. ii. pp. 242-43 ; vol. iv. pp. 178-79.
[2] *Hist. Ecclésiastique*, vol. i. pp. 199-200.
[3] Quick's *Synodicon.*
[4] Knox's *Works*, vol. ii. pp. 194, 208, 226.
[5] *Ibid.*, vol ii. pp. 189, 207, 226.
[6] Knox's *Works*, vol. ii. pp. 202-3, 204-5.
[7] *Hist. Ecclésiastique*, vol. i. pp. 199-200.

circumstances had forced the Scottish reformers to issue a sketch of their constitution before the development of their congregations necessarily demanded it.[1] Consequently they could wait to fill in details until their movement had spread more widely. On the other hand, the Reformation movement spread quickly in Scotland after 1560. The Scottish reformed church, unlike that of France, was not a persecuted body, but worked in a land where Popery was disestablished by law.[2] It is true that the presence of a Roman Catholic Queen in Scotland for long imperilled the legal position of the reformed church. Nevertheless, it will appear, from a study of the enactments of the General Assemblies, that the Scottish Church passed quickly from the stage of missionary endeavour to that of a national Church, carefully organised locally, and with a central authority exercising an effective control over local activities.[3]

The Synodal Assembly.

It was evidently intended from the first that the superintendent should work with a provincial council. In the *First Book of Discipline* (1560) the superintendent's council was mentioned as acting with the superintendent in appointing a minister to a church vacant more than forty days;[4] and the superintendent's conduct in office was declared to be subject to censure by the ministers and elders of his whole province.[5] In 1562 this "Synodal Assembly" was defined as consisting of the superintendent, and a minister, with one elder or deacon, from each church in the province, and its meetings were to be held twice yearly.[6]

The Synodal Assembly presents one or two points which are reminiscent of the Bishop's Diocesan Synod of the old Church. It was regarded as pre-eminently the "Super-

[1] Knox's *Works*, vol. ii. p. 128. [2] *Ibid.*, vol. ii. pp. 122-25.
[3] *Acts of the General Assembly*, vol. i. pp. 14, 32-33, 35, etc.
[4] Knox's *Works*, vol. ii. p. 189. [5] *Ibid.*, vol. ii. p. 207.
[6] *Acts of the General Assembly*, vol. i. p. 29.

intendent's Council," as the Diocesan Synod was pre-eminently the Council of the bishop of the diocese: it was attended by the office-bearers of the superintendent's district, which corresponded roughly in area to the bishop's diocese, as the Diocesan Synod was attended by all heads of religious houses and beneficed clergy within the diocese;[1] the term Synod is common to the two ecclesiastical courts. But these are mere superficial similarities, while in their functions in their respective Church polities, there is no correspondence whatever. The Diocesan Synod met, that the bishop might make known to his clergy the decrees of the Scottish Provincial Synods.[2] The Synodal Assembly, as we shall see, was to act as the centralising administrative body for the superintendent's province, in regard to a wide variety of ecclesiastical activities.

On the other hand, since there is not merely a closer similarity in form between the French Provincial Synod and the Scottish Synodal Assembly, but also a close correspondence in function, there can be no hesitation in pointing to the French court rather than to the old Roman Catholic Synod, as the model in the minds of the Scottish reformers.

The French Provincial Synod was defined, in 1559, as consisting of the ministers of all the churches of the province, accompanied by one or two elders or deacons deputed by the Consistories, to meet once (1560), or twice (1571) a year.[3] The French Synod—the term Synod is again common to the two courts—has every appearance of being the prototype of the Scottish court. Since there was no official in the French Synod corresponding to the Scottish superintendent, who was naturally chairman in his own Council (1576),[4] the French court chose its moderator from among its own members to hold office for the duration of the annual or half-yearly meetings.[5]

[1] Dowden's *Mediæval Church in Scotland*, p. 239. [2] *Ibid.*, p. 239.
[3] *Hist. Ecclésiastique*, vol. i. p. 216. Quick's *Synodicon*, vol. i. pp. 13, 96.
[4] *Acts of the General Assembly*, vol. i. p. 357.
[5] *Hist. Ecclésiastique*, vol. i. p. 216. Quick's *Synodicon*, vol. i. p. 23.

The functions assigned to this Synod in the two Church polities were similar, but there appears also a specific difference, due to the differing political conditions of the two countries in the sixteenth century. The Scottish court, working without the hampering and paralysing effects of persecution, and with the advantage of possessing in its superintendent, a continually active link between itself and the various congregations within its bounds, was permitted to initiate administrative action, while in most instances the French Synod was to act only after being requested to do so. The Synodal Assembly was to appoint a minister to a church left vacant longer than forty days (1560);[1] to translate a minister on occasion from one church to another (1562);[2] to consult on the common affairs of the province (1562);[3] to exercise ecclesiastical discipline in the case of their own superintendent,[4] as well as in the case of a neighbouring superintendent who had been unchecked by his own Council (1560);[5] to act as court of appeal from decisions of the Kirk Sessions (1563);[6] and to choose the ministers and commissioners of shires to attend the General Assembly (1568).[7] On the other hand, the French Provincial Synod was to assist in the election of ministers when requested to do so (1559);[8] to act as court of first instance for charges of desertions of flocks by ministers and of changing from one church to another;[9] to give judgment as to the plans of action in one congregation, which involved the interests of another (1559);[10] and to submit to the National Synod articles passed as rules for the Province;[11] to judge cases of the lesser vices of pastors

[1] Knox's *Works*, vol. ii. p. 189.
[2] *Acts of the General Assembly*, vol. i. p. 29.
[3] *Ibid.*, vol. i. p. 29.
[4] Knox's *Works*, vol. ii. p. 207.
[5] *Ibid.*, vol. ii. pp. 207-8.
[6] *Acts of the General Assembly*, vol. i. p. 33.
[7] *Ibid.*, vol. i. p. 124.
[8] Quick's *Synodicon*, vol. i. p. 3.
[9] *Hist. Ecclésiastique*, vol. i. p. 217.
[10] *Ibid*, vol. i. p. 220.
[11] Quick's *Synodicon*, vol. i. p. 35.

(1559);[1] to act as court of appeal from the decisions of Consistories, in regard specifically to all the relations between ministers and their Consistories (1559) and congregations, and in regard to excommunications.[2] The French elders and deacons who were to attend the National Synod were to be chosen, at first by the Consistories, later by the Provincial Synods.[3] From a comparison of the duties of the Scottish and the French Synods, it is clear that the former was given the more effective powers of control over the ecclesiastical activities carried on within its area.

Thus it appears that the Synodal Assembly, as defined in 1562, shows evidence of the influence of the example of the organisation of the French reformed church. But clearly, the Scottish reformers did not feel themselves bound to close imitation, and introduced such modifications into the working of the court as made it a more effective instrument of Church government, in the happier circumstances of the Reformation movement in Scotland.

The System of Reformed Ecclesiastical Appeal Courts.

By the year 1562 three reformed ecclesiastical courts for legislative, administrative, and judicial action had been instituted in the Scottish polity. In 1563 the administrative machinery of the Church was bound more closely together by the enactment of the General Assembly, that any person, feeling himself hurt by any sentence pronounced by a Kirk Session, might appeal to the superintendent in his Synodal Assembly. Thereupon the Synodal Assembly was obliged to take up the case, and to give their decision upon it. If the appellant was still dissatisfied, he was to be allowed to appeal to the General Assembly, whose decision was to be final.[4]

Up to this time the only other reformed church which had

[1] *Hist. Ecclésiastique*, vol. i. p. 217.
[2] *Ibid.*, vol. i. pp. 216, 217, 218.
[3] *Ibid.*, vol. i. p. 216. Quick's *Synodicon*, vol. i. pp. 2, 65.
[4] *Acts of the General Assembly*, vol. i. pp. 32-33.

introduced such a system of appeals was that of France.[1] The decision of the Genevan Consistory was final.[2] A'Lasco's Church of the Foreigners in London had held courts, which were attended by the ministers, elders, and deacons of all the congregations within its organisation. But none of these meetings were competent to revise the decisions of the congregational courts.[3] Thus it appears highly probable that this system of appealing ecclesiastical cases from one court to another in Scotland, was due to the example of the French Church.

The French system differed in two matters from that laid down by the Scottish General Assembly. In the French regulations, the particular types of cases which might be appealed were enumerated.[4] The regulations seem to amount to this, that besides disputes connected with the election and deposition of office-bearers, only cases important enough to involve excommunication could be appealed. In the second place, the local assembly of a district, known as a Colloquy, was declared in 1567 to be a court of appeal from the French Consistory in addition to the Provincial Synod.[5] Consistently with the advanced democratic principles of its polity, the Scottish Church gave to all cases of possible ecclesiastical injustice, involving laymen or cleric, of minor or greater importance, the same privilege of appeal.[6]

The French Colloquy.

The Scottish Church of 1560 had no assembly corresponding to the French Colloquy (1559). The Colloquy[7] apparently met more often than the Provincial Synod, whose meetings were to be at first once a year, and later at least twice yearly. One of

[1] *Hist. Ecclésiastique*, pp. 216, 217, 218.
[2] Kampschulte's *Johann Calvin*, p. 439.
[3] Kuyper's *Johannis a'Lasco Opera*, vol. ii. pp. 68, 230, 234.
[4] *Hist. Ecclésiastique*, vol. i. pp. 216-18. Quick's *Synodicon*, vol. i. pp. 3, 4, 5, 13-14, 16. [5] *Ibid.*, vol. i. p. 72.
[6] *Acts of the General Assembly*, vol. i. pp. 32-33.
[7] Quick's *Synodicon*, vol. i. pp. 3, 4, 96.

its functions was to deal with ministers intruding themselves unconstitutionally upon congregations, when the Provincial Synod was not in session,[1] and it had the same power as the Synod to assist in the election of ministers to Churches within its district.[2] The main objects of its institution appear at first to have been the administration of Church affairs between Synods,[3] and the keeping of the congregations of a district in touch with one another. The latter purpose appears in the injunction to the Colloquy, in 1572, to consult on difficulties common to the Churches of a district,[4] and in its function of deciding in controversies as to doctrine, mentioned as belonging to it in 1571.[5] It was the discussion of points of doctrine which had suggested to the Huguenots of 1559 the necessity for a national assembly, by means of which the ministers might keep in touch with one another, and so preserve the unity of the French Church.[6] The Scottish Church had not the same necessity for attaining these objects by means of an assembly such as the Colloquy. A Church which was not under persecution could more easily make use of the ordinary means of social intercourse in order to keep congregations in touch locally, and the superintendent on his rounds of visitation could serve the same purpose. The superintendent was competent to deal with troublesome ministers, readers, and exhorters, by suspending them from office until the matter could be settled by the General Assembly (1565).[7] However restricted in practice, according to the theory of their ecclesiastical polity, the Scottish congregations had full power to choose their own ministers without outside assistance.[8] The Weekly Assembly of the Exercise, though formally meeting for entirely different purposes, informally served as a close bond of union between the kirks of a small district.

[1] Quick's *Synodicon*, vol. i. p. 4. [2] *Ibid.*, vol. i. pp. 13, 107-8.
[3] *Ibid.*, vol. i. p. 4. [4] *Ibid.*, vol. i. p. 106. [5] *Ibid.*, vol. i. p. 96.
[6] *Hist. Ecclésiastique*, vol. i. pp. 199-200.
[7] *Acts of the General Assembly*, vol. i. pp. 65-66.
[8] Knox's *Works*, vol. ii. pp. 189-91 ; vol. iv. p. 175 ; vol. vi. p. 293. *Acts of the General Assembly*, vol. i. p. 16.

The Consistory, or Kirk Session.[1]

The limitation on the jurisdiction of the Scottish Consistory, which was entailed by its inclusion in the Church's general system of appeals in 1563,[2] was the only change in this court during the period between 1560 and 1574.

The General Assembly.

It remains to trace the development of the General Assembly in the early years of its activity.

The *First Book of Discipline* had declared that the General Assembly was to meet to authorise the transferring of a superintendent from one district to another,[3] or of a minister from one church to another,[4] and to receive from superintendents the yearly accounts of the congregations in their districts.[5] The first formal meeting of the General Assembly in December, 1560, declared that its members met "to consult upon these things whilk are to sett forward gods glorie, and the weill of his Kirk is this Realme."[6] The additional functions assumed by the General Assembly, as the work of the Church grew, were these: (1562) Superintendents, ministers, and elders present to be tried in life, doctrine, and execution of their office;[7] then the superintendents were to report on their districts;[8] the General Assembly was (1563) to give final decisions on appeals from Synodal Assemblies;[9] (1563) to give permission for the publication of religious works submitted by superintendents;[10] (1564) to decide, if the superintendent had not done so, whether a minister might leave his charge;[11] (1565) to exercise ecclesiastical discipline on ministers, exhorters, and readers, who were mutinous against their superintendents, and had been suspended by them.[12]

[1] See *Acts of the General Assembly*, vol. i. p. 29. [2] *Ibid.*, vol. i. p. 33.
[3] Knox's *Works*, vol. ii. p. 208.
[4] *Ibid.*, vol. ii. p. 194. [5] *Ibid.*, vol. ii. p. 226.
[6] *Acts of the General Assembly*, vol. i. p. 3. [7] *Ibid.*, vol. i. p. 14.
[8] *Ibid.*, vol. i. p. 14. [9] *Ibid.*, vol. i. p. 33. [10] *Ibid.*, vol. i. p. 35.
[11] *Ibid.*, vol. i. p. 50. [12] *Ibid.*, vol. i. pp. 65-66.

The functions exercised by the General Assembly, which controlled the activities of the superintendents, obviously could not have been derived from the example afforded by the French National Synod, as that Church did not number such an official among its office-bearers. Of the remaining functions, the duty of the French Synod (1560) to decide matters of general interest to all the Churches,[1] may be taken as corresponding to "The weill of his (God's) Kirk in this Realme."[2] The French Synode National was likewise the final court of appeal from the Provincial Synods, and thus, amongst other cases for those of ministers wishing to leave their charges.[3] There was in the Synode National also, "amiable and brotherly censure of all present,"[4] but merely as a general method of keeping order at each meeting, and of disciplining the members of the Synode National as such, not as a means of maintaining the control of the Church as a whole over the activities of its office-bearers throughout the country. On the other hand, it may be noted, that this exercise by the central ecclesiastical assembly of disciplinary control over the official conduct of superintendents and ministers, is also seen in Lambert's Hessian constitution of 1526.[5]

On the whole it appears, that in two general principles the functions of the Scottish Assembly were probably derived from those of the French Synod—that of deciding on matters of general interest to all the congregations, and that of acting as the final court of appeal from the local church courts. In regard to the office of superintendent, the bearers of which were answerable to the General Assembly for their conduct in office, that Assembly took upon itself further and original functions, which enabled it to exercise a much more effectual control over the local administration of the Church, than

[1] Quick's *Synodicon*, vol. i. pp. 15-16.
[2] *Acts of the General Assembly*, vol. i. p. 3.
[3] Quick's *Synodicon*, vol. i. p. 16.
[4] *Hist. Ecclésiastique*, vol. i. p. 216.
[5] Richter's *Evangelischen Kirchenordnungen des XVI^n Jahrhunderts*, p. 65.

was possible to the French Synod. The French "Discipline Ecclésiastique" of 1559 declared that the Synode National was to judge of the expediency of changing the rules of their "Discipline,"[1] that is to say, it was to be the ultimate source of legislative power in the Church. The General Assembly did not definitely lay down any such claim. But apparently, the Assembly took it for granted, for its meetings acted upon it—as, for example, in 1562, in enacting the times at which the Synodal Assemblies were to meet,[2] which office-bearers were to attend,[3] and what business beyond that suggested in the *First Book of Discipline* was to be treated of.[4]

As to the personnel of the National Synods in France and Scotland, only in the first few General Assemblies did the Scottish closely approximate to the French. The French Synod was to consist (1559) of at least one minister from each province, with elders and deacons deputed from Consistories,[5] and at times Henry of Navarre, his court, and French Protestant nobles attended, as at the Synod of Rochelle in 1571.[6] The first formal meeting of the General Assembly consisted of ministers and representatives from the individual congregations of Scotland.[7] The personnel of the two following Assemblies is undefined in the records, but by June 1562 the superintendents were added to those mentioned as present.[8] In December 1563, it is recorded that many of the nobility, Queen's ministers, barons, burgesses, and gentlemen were present, besides the superintendents, ministers, and representatives of congregations.[9] The composition of this Assembly has a parallel much closer than that of the French Synode National. It is that of Lambert's Hessian constitution of 1526. In this polity, a representative of each

[1] *Hist. Ecclésiastique*, vol. i. p. 220.
[2] *Acts of the General Assembly*, vol. i. p. 29.
[3] *Ibid.*, vol. i. p. 29. [4] *Ibid.*, vol. i. pp. 29, 33, 124, 162, 357, 366, etc.
[5] *Hist. Ecclésiastique*, vol. i. p. 216. Quick's *Synodicon*, vol. i. pp. 2, 15.
[6] Baird's *Theodore Beza*, pp. 245-46.
[7] *Acts of the General Assembly*, vol. i., p. 3.
[8] *Ibid.*, vol. i. p. 13. [9] *Ibid.*, vol. i. p. 38.

congregation was to be elected yearly to attend with their ministers the Provincial Synod, which was to be the central ecclesiastical Assembly of Hesse. The Visitors were also to be present, and the prince, his courtiers and the nobles of the land, were not only to attend, but to have first vote, and to be free to propose motions in their capacity as leaders of the people.[1] In view of the usual presence and leadership of the "Lords of the Congregation" at the Scottish General Assemblies,[2] this parallel with the Hessian constitution may possibly be significant of a closer connection between the Hessian and the Scottish Church polities than is suggested by the direct historical evidence at present available. At the General Assembly held in June 1563, those Queen's ministers, barons, burgesses, and gentlemen, are not mentioned, but to the members of 1562 were added representatives of provinces.[3] In December 1565, exhorters were mentioned, and also representatives from towns.[4] In June 1566, a number of the nobility were again present.[5] In July 1568, representatives of universities were mentioned, and those competent to vote were declared to be superintendents and commissioners appointed to visit kirks by the General Assembly, ministers brought with these forenamed, representatives of burghs and shires, and representatives of universities.[6] Apparently some ministers were designated by superintendents to attend the General Assembly with them.[7] In 1568 it was also enacted that ministers and representatives of shires should be chosen in the Synodal Assemblies, and representatives of burghs be appointed by the council and kirk of their own towns.[8] It is not clear whether the council referred to is the town council, or the kirk session of the town church. If it refers to the town council, the function assigned to it would seem to be a

[1] Richter's *Evangelischen Kirchenordnungen des XVI^ten Jahrhunderts*, pp. 64-65.

[2] Knox's *Works*, vol. ii. pp. 422-24.

[3] *Acts of the General Assembly*, vol. i. p. 46.

[4] *Ibid.*, vol. i. p. 65. [5] *Ibid.*, vol. i. p. 77. [6] *Ibid.*, vol. i. p. 124.

[7] *Ibid.*, vol. i. p. 14. [8] *Ibid.*, vol. i. p. 124.

reminiscence of the part played by the Genevan city magistracy, in appointing to the ranks of the Vénérable Compagnie and of the Consistory.[1]

The Moderator of the General Assembly.

In connection with the composition of the General Assembly, one curious parallel has been noted[2] between the organisation of the Scottish Provincial Councils under the Roman Catholic Church, and that of the reformed General Assemblies. Prior to the establishment of the Archbishopric of St Andrews, *i.e.* before 1472, all the bishops in Scotland were of equal rank, and there was no one among them who could claim to be chairman of the Provincial Council by right of precedence. Thus it became the rule that the chairman, or "Conservator," of the Council should be chosen by the Council members from among their own number to hold office during the year, which, by Canon Law, was to elapse before the Council met again.[3] Since 1563 it has been the arrangement in the Scottish General Assemblies that a Moderator should be elected from among the members, to hold office till the opening of the next Assembly.[4] The question arises: Did the General Assembly derive its procedure in this matter from the example of the Church of the old régime? The explanation of the new departure of 1563, that is given in the Assembly records, is to the effect that a Moderator was to be appointed to avoid confusion in reasoning, an explanation which gives us no clue as to the source from which the device had been adopted. Were there no other precedent, we should be forced to acknowledge it probable that the idea had come from the old Provincial Council. But there are precedents to be found among the reformed churches abroad. The records of the

[1] *Calvini Opera*, vol. x. pp. 17-18, 22.

[2] Patrick's *Statutes of the Scottish Church*, p. xxxvii.

[3] Dowden's *Mediæval Church in Scotland*, p. 230. See also Robertson's *Statuta Ecclesiæ Scoticanæ*, vol. i., and Patrick's *Statutes*.

[4] *Acts of the General Assembly*, vol. i. pp. 38, 157.

Swiss Churches which refer to this matter are not very precise. But there seemed to be a tendency to arrange that if a magistrate was a member of a church court, he should preside *ex officio*.[1] On the other hand, in Lausanne, from about 1537 to 1558, the Assembly of the *classe* was to choose its own Doyen or Moderator, who was to be changeable at its pleasure; and in Geneva, at least from Calvin's death in 1564 till 1580, the chairmanship of the Vénérable Compagnie was settled by annual election.[2] Before 1564, the force of his personality seems in practice to have secured the chairmanship for the great reformer himself, but even then it seems probable that the theory must have been one of election for short periods constantly renewed. In any case the most striking precedent is that of the French Church polity, in which from 1559 every assembly for Church administration was to elect a president for its own duration.[3]

It does not appear that the Scottish reformers followed the example of the Roman Catholic Church organisation in any other point, while the influence of the example of the French reformed church is clearly discernible in many directions in the Scottish polity. In view of these considerations, although there is no positive evidence of any kind, the balance of probability is heavily against the borrowing of the Assembly Moderatorship from the procedure of the Roman Catholic Provincial Councils, and in favour of the following of the example of the French reformed church.

On the whole, it seems that, having borrowed from the French or possibly from Hesse, the outlines of a supreme National Church Court, the Scottish Church either developed independent and original principles, on which to base the representation of the body of the Church members, or again applied some of the principles of the early Hessian polity.

[1] Ruchat's *Histoire de la Réformation de la Suisse*: Berne, 1529 or 1530; Neuchatel, 1530; Engadine, 1538; Lausanne, 1558.

[2] Gaberel's *Hist. de l'Eglise de Génève*, vol. ii.

[3] Quick's *Synodicon* (London, 1692), vol. i. pp. xxxix., 23.

While the French Church regarded the members merely as representing independent congregations, the Scottish polity grouped them in larger territorial units for purposes of representation, and gave wider rights of attendance to the laity, the Lords of the Congregation being expected to take their natural place in the General Assemblies as leaders of the people in the Church under the reformed régime. Further, the Scottish polity recognised the universities as in a special position in relation to the Church, a recognition pointing to Geneva as its source.[1]

Ministers.

In regard to the office-bearers of the Scottish Church, the majority of new regulations passed by the General Assembly during the period from 1560-74, bore on their relations to the superintendents and to the Church Courts. As the office of the superintendent in Scotland has been shown to be largely an original contribution to the contemporary problem of the reformed church polity, so the regulations defining the relations between superintendents and ministers were on lines quite independent of other reformed churches, and no comparisons can be drawn. Of the remaining regulations, the injunction to the parish minister (1562) to attend the Synodal Assembly with an elder or deacon,[2] has its prototype in the Discipline Ecclésiastique (1559) and in the Acts of the French Synod of 1560;[3] the necessity for submitting to the direct exercise of ecclesiastical discipline by the General Assembly (1562)[4] does not occur in the French polity; the prohibition that a minister may not leave his charge without the permission of his congregation, the superintendent, or the whole Church (1564),[5] corresponds to the French prohibition that a pastor may not do so without the permission of his Consistory and

[1] *Calvini Opera*, vol. ii. p. 21.
[2] *Acts of General Assembly*, vol. i. p. 29.
[3] *Hist. Ecclésiastique*, vol. i. p. 216. Quick's *Synodicon*, vol. i. pp. 3, 13.
[4] *Acts of the General Assembly*, vol. i. p. 14.
[5] *Ibid.*, vol. i. p. 50.

neighbouring Churches, and the Provincial Synod.[1] In 1565 the General Assembly sternly prohibited ministers from reverting to civil life,[2] while the French Church mildly laid down, in 1559, that a pastor, on wishing to leave the ministry, can only be exhorted to remain in it;[3] on the other hand, while it was necessary to obtain a licence, only to be granted in the most exceptional circumstances, from the General Assembly, in order that a minister of the Church might also hold civil office (1571),[4] the French Synod declared in 1559 that the pastor was to have no other calling.[5]

Elders.

As regards the functions of the Scottish elders, their positions and duties had been so carefully enumerated in 1560 that the only later additions needed were such injunctions as would enable them to fit into the developing system of internal organisation. Like the French elders (1559),[6] they were (1562) to attend the Synodal and General Assemblies when chosen.[7] Unlike the French elders, those in the Scottish Church were to be ready, when required (1562), to report to the General Assembly on their ministers' conduct,[8] and to submit themselves, as members of that body, to its direct exercise of ecclesiastical discipline.[9] In another minor matter the functions of the Scottish elders differed from those of the French. The former were to assist their ministers to examine the children in religious knowledge (1570),[10] whereas the French office-bearers were forbidden (1559) to catechise in public.[11] According to a rule laid down in 1562, should a

[1] *Hist. Ecclésiastique*, vol. i. p. 217. Quick's *Synodicon*, vol. i. pp. 4, 33.
[2] *Acts of the General Assembly*, vol. i. p. 74.
[3] *Hist. Ecclésiastique*, vol. i. p. 216. Quick's *Synodicon*, vol. i. p. 3.
[4] *Acts of the General Assembly*, vol. i. p. 206.
[5] Quick's *Synodicon*, vol. i. p. 3.
[6] *Hist. Ecclésiastique*, vol. i. p. 216. Quick's *Synodicon*, vol. i. pp. 2-3, 13.
[7] *Acts of the General Assembly*, vol. i. pp. 14, 29.
[8] *Ibid.*, vol. i. p. 14. [9] *Ibid.*, vol. i. p. 14. [10] *Ibid.*, vol. i. p. 176.
[11] Quick's *Synodicon*, vol. i. p. 5.

Scottish elder trouble his minister by persistently neglecting to attend Church Assemblies, after due admonition by the Consistory, the minister might call in the aid of the superintendent, and on his advice excommunicate the elder, if necessary.[1] This is a regulation peculiar to the Scottish Church.

Deacons.

No modification in the office of Deacon is to be observed during the period from 1560-74.

Readers.

In 1565 it was arranged that a superintendent might suspend a censured reader or exhorter until the next meeting of the General Assembly, where the matter would be investigated.[2]

Doctors.

The office of Doctor was again formally recognised as having a distinct function in the Scottish Church in 1574.[3] As in Geneva and in France, the office was to be discharged in the universities. In 1567 it had been arranged that, previous to their appointment, the doctors should be tried in doctrine by the superintendents and visitors appointed by the General Assembly.[4] Here the Scottish Church differed from both Geneva and France, the former making the professors of the college and the ministers responsible for the appointment of doctors,[5] and the latter causing them to be both elected and tried in life and doctrine by the Provincial Synod or the Colloquy.[6]

Superintendents.

During the years 1560-74, the functions of the office of Superintendent, or Commissioner from the General Assembly, greatly increased in scope. Though this office was dropped

[1] *Acts of the General Assembly*, vol. i. p. 16.
[2] *Ibid.*, vol. i. pp. 65-66. [3] *Ibid.*, vol. i. p. 305. [4] *Ibid.*, vol. i. p. 108.
[5] *Calvini Opera*, vol. x. p. 69. [6] Quick's *Synodicon*, vol. i. p. 106.

from the polity of the Scottish Church in 1578, it is necessary to trace its development in detail, in order to recognise how the later court of the Presbytery was built up from the experience gained in the working of the office of superintendent. From the Assembly records it appears, that the superintendents came to be nominated principally by the General Assembly itself.[1] This was somewhat of a reversion to the Swiss conception of a visitor sent out by the consistory and magistracy of the capital of the canton, except for the facts that in Scotland the Church was acting independently of the magistracy, and on a national instead of a local scale. Preaching continued to be a prominent duty of the Scottish superintendent,[2] but in course of time the need for his planting churches became rarer.[3] The duty, probably derived from the Swiss visitor, of reporting on the ministers and parishes to the central authority, remained (1562).[4] The injunction (1562) that the exercise of ecclesiastical discipline over superintendents was to be the first transaction of each General Assembly,[5] enabled the Assembly to exercise direct control over their conduct in office. Such control has its only precedent in Lambert's Hessian Church constitution of 1526.[6] It was the more necessary in the Scottish Church, in that the superintendents exercised wider powers than had been granted to the Swiss visitors. It was arranged in 1565, for instance, that if ministers, exhorters, and readers refused to follow their superintendent's admonitions, the latter could suspend them from their ministry and stipend, until the next General Assembly should decide the matter.[7] It was the duty of the superintendents from 1563 to warn shires, towns, and kirks of the dates of General Assembly meetings.[8] This recalls the duty of the superintendent, in a'Lasco's Church in London, to call together unexpected meetings of Church

[1] *Acts of the General Assembly*, vol. ii. p. 775. [2] *Ibid.*
[3] *Ibid.*, vol. i. p. 357. [4] *Ibid.*, vol. i. p. 14. [5] *Ibid.*, vol. i. p. 14.
[6] Richter's *Evangelischen Kirchenordnungen des XVI^ten Jahrhunderts*, p. 65.
[7] *Acts of the General Assembly*, vol. i. pp. 65-66.
[8] *Ibid.*, vol. i. p. 36.

courts.[1] But the arrangement was quite as likely to have arisen from its mere convenience in the circumstances of the time. Probably from the same motive of convenience, it was laid down that the superintendents (1570) were to present to the General Assembly those difficulties of individual churches, which had proved insoluble in the Synodal Assemblies.[2] It was the superintendent who was to summon the Synodal Assembly twice yearly (1562),[3] to preside at all its meetings (1567), and to take part in all its business.[4] These functions are again similar to those exercised by a'Lasco's superintendent.[5] There were other functions of the superintendent, which were entrusted to such an office-bearer by the Scottish Church alone among reformed ecclesiastical constitutions. It has been pointed out in another connection, that the complaints of parish ministers against elders, who neglected the duty of attending Church Assemblies, were to be directed to the superintendents, whose advice was to be obtained before proceeding to excommunication (1562).[6] In 1563 it became the superintendent's duty to examine books on religious subjects, for the purpose of deciding whether or not the Church should allow them to be published, and only in doubtful cases was it necessary for him to take the advice of the General Assembly in the matter.[7] The high degree of theological learning, expected of a superintendent, was further emphasised in 1567, in the duty laid upon him, of examining in doctrine those aspiring to the office of teacher in schools or of doctor in the universities.[8]

Members of the Congregations.

In one respect there was a fundamental change, soon after the Church constitution was laid down in 1560, in the relation of the individual member of the Church to that Church as a corporate

[1] Kuyper's *Johannis a'Lasco Opera*, vol. ii. pp. 229-30.
[2] *Acts of the General Assembly*, vol. i. pp. 191-92.
[3] *Ibid.*, vol. i. p. 29. [4] *Ibid.*, vol. i. p. 357.
[5] Kuyper's *Johannis a'Lasco Opera*, vol. ii. pp. 58-59.
[6] *Acts of the General Assembly*, vol. i. p. 16.
[7] *Ibid.*, vol. i. p. 35. [8] *Ibid.*, vol. i. p. 108.

body. It has been pointed out, in considering the reformed polity of 1560, that the Scottish method of electing the elders and deacons, who with the minister formed the Consistory or Kirk Session, had freed that body from the disadvantages incident to a close corporation,[1] in contrast with the regulations of the Church polities of Geneva and France. There still remained the danger of injustice in the Consistory's exercise of ecclesiastical discipline over the individual, arising from accident or local prejudice. In 1563 even this source of injustice was removed, when, as has been pointed out above,[2] every aggrieved individual was given the right to appeal to the Synodal Assembly, and thence to the Supreme Court of the Church, from any particular decision of an inferior court.[3]

Summary of Conclusions.

In summary, we may say that our inquiry has revealed the French as the predominating foreign influence, in the development of the Scottish Church polity between 1560 and 1574, though there are some traces still of the influences of a'Lasco's London Church, and possibly of the Hessian constitution of 1526.

The strong formative influence of France during this period mainly affected the composition and the chief functions of the Synodal and General Assemblies, the setting up of a system of appeals extending throughout the ecclesiastical courts, the developing of the office of doctor in the Church, and the laying down of some minor regulations in regard to the office of parish minister.

The enactments of the General Assembly also increased the efficacy of the Scottish system of Church courts independently of any contemporary example. This increased efficacy was secured :—

(1) By entrusting the superintendent, on his annual visitations throughout his district, with power to suspend ministers, readers, and exhorters from their offices, and to give decisive advice to ministers in dealing with troublesome elders.

[1] Knox's *Works*, vol. ii. pp. 152, 225, 233-34. [2] *Supra*, p. 81.
[3] *Acts of the General Assembly*, vol. i. pp. 32-33.

(2) By allowing the Synodal Assembly to initiate administrative action on its own account.

(3) By giving the General Assembly powers to exercise ecclesiastical discipline directly over any superintendents, ministers, or elders throughout the Church.

During the period 1560-74, there was no development of the Scottish Church polity which restricted the democratic spirit, which Knox had introduced into it, apparently from the example of a'Lasco and possibly also from that of Lambert. On the contrary, in adopting the French system of appealing ecclesiastical cases from court to court, care was taken to make this new departure an additional safeguard for individual freedom throughout the Church. The French Church had defined the limited classes of cases, which could be appealed, whereas the Scottish Church had declared that any individual member, who felt aggrieved by any decision of any Church court, was to be free to appeal to a higher ecclesiastical authority for redress of that grievance.

The Scottish system of Church courts, with their activities thus checked and restrained by a graduated system of appeals, were found to perform their many functions with such success and moderation, as justified the Church in transferring the functions of the superintendents, in the *Second Book of Discipline*, to the new ecclesiastical court of the Presbytery.

The responsibility of electing the ministers and elders who were to constitute the personnel of these ecclesiastical courts, and daily experience of their controlling activities within the communities, conferred two benefits on the Scottish people. They were given, in the first place, a valuable training in the methods of democratic government, and, in the second place, an appreciation of the principle of individual freedom under democratic institutions. This experience bore fruit in the following century, in the support given to the opponents of the reactionary tyranny of Charles I., and has left with the Scottish people a valuable tradition of orderly independence in communal life.

CHAPTER IV

THE THIRD PHASE IN THE DEVELOPMENT OF THE SCOTTISH REFORMED POLITY — THE INTRODUCTION OF THE PRESBYTERY (1574-92)

I. The Circumstances leading up to the Remodelling of the Constitution.

Church and State.

DURING the years 1560-67, it was natural that the question of the function of the Magistracy in the Church, and consequently of the exact relations between Church and State in Scotland, should have lain dormant. An avowed Roman Catholic was on the throne, and the actual position of the reformed church was that of being tolerated by a Queen who had no sympathy with the reformers, but was not in a position to suppress the new Church. The Kirk enjoyed the advantages of legal recognition, if not of the details of its polity, at least of its general position as the national Church.

This position of mutual toleration between State and Church was not accepted as final by either party. The Church accepted this working arrangement only until the Queen might have time to be converted to Protestantism,[1] and the Queen, until she might have time for intrigue, which would release her from her difficult position and enable her to overthrow the Kirk.[2] But the Queen's difficulties rapidly multiplied, and political circumstances brought about her abdication in 1567. James VI. being a minor, the Earl of Moray was appointed Regent, and

[1] Knox's *Works*, vol. ii. p. 272.

[2] *Ibid.*, vol. ii. pp. 286, 376-77, 380, 408-9, 483. Hume Brown's *John Knox*, vol. ii., note on p. 208.

at last the head of the State was a professed Protestant.[1] The Church could now look to the Magistracy to take up the position assigned to it in theory in 1560 by the Scottish Confession and the *Book of Discipline*—the position of strengthening the hand of the Church against all its opponents, and of ensuring the complete "reformatioun and purgatioun of religioun."[2] From the steps taken at this time by the Church and the government, it is clear that both parties recognised that some readjustment in their relations was necessary.

The Church called a special meeting of General Assembly for July 1567, "quherby ane perpetuall ordour may be takin for the libertie of the Kirk of God, sustentation of the ministers and failzeit members thereof, and that ane sure union and conjunctioun may be had amongst the haill members for the libertie of God's Kirk."[3] At the meeting in July, articles were passed asking for confirmation of the parliamentary acts of 1560 in regard to the Church, that the arrangements made by the Privy Council in 1561 for the financing of the reformed ministry be carried out faithfully by the government, and that the Kirk be shortly granted its rightful patrimony.[4]

The government, on its side, in the Parliament which met in December, confirmed the Acts of 1560 against the Church of Rome, and declared the reformed church, as at the time established, to be the true Kirk, to which parliament assured its due freedom, privilege, jurisdiction, and authority.[5] The question of the Church's finance was a much more difficult matter, and one so closely bound up with the most delicate problems of Scottish politics at the time, that its treatment came to involve a menace to the Presbyterian constitution of the Scottish Kirk.

According to the financial arrangements of 1561, the Privy

[1] Knox's *Works*, vol. ii. p. 566.
[2] *Ibid.*, vol. ii. p. 118.
[3] *Acts of the General Assembly*, vol. i. p. 95.
[4] *Ibid.*, vol. i. pp. 107-10.
[5] *Acts of Parliament of Scotland*, vol. iii. pp. 35-37.

Council had decreed a tax of one-third on all Roman Catholic benefices, the proceeds to be divided between the crown and the new Church, while the remainder of the ecclesiastical revenues were to support the Roman Catholic clergy during their lives.[1] In practice the Crown had had first claim on these thirds, and the reformed church had been unable to obtain any adequate payment of even that part of the revenues of the old Church, which was legally its due—"at every light occasion the ministrie frustrat of all life and sustentation."[2]

In relief of the pressing needs of the Church in 1567, the Parliament of December "statute and ordanit, that the haill thriddis of the haill benefices of this Realme sall now instantlie, and in all tymes to cum first be payit to the ministeris of the Evangell of Jesus Christ and thair successouris; or thair collectouris, to be nominat be the saidis ministeris, with avise of my Lord Regent . . . ay and quhill the Kirk cum to the full possessioun of thair propir patrimonie, quhilk is the teindis . . . swa that the Ministeris may be first answerit of thair stipendis . . . and the rest and superplus to be applyit to our Souverane Lordis use."[3]

This measure left unsettled the vexed question of the patrimony of the Kirk. The peculiar complication of the State problems of policy and finance involved in the treatment of the question by the successive Regents, and by James VI. himself, is a matter beyond the scope of our inquiry. What is of importance from our point of view, is the particular method of dealing with the financing of the Church adopted by a second Protestant Regent, Morton, in 1572. For Morton's policy set in clear relief the necessity for abolishing the office of superintendent, if the Presbyterian basis of the Church constitution was to be preserved, and so led to a reconsideration by the General Assembly of the whole question of the efficacy of the Kirk's administrative organisation.

[1] *Registers of Privy Council*, vol. i. pp. 201-3.
[2] *Acts of the General Assembly*, vol. i. p. 94.
[3] *Acts of Parliament of Scotland*, vol. iii. p. 24.

The Convention of Leith, 1572.

Morton conceived the idea of inducing the leaders of the Kirk to introduce the titles of archbishops and bishops into the reformed church, nominally as a legal device, whereby the revenues of the old Church, attaching to these ecclesiastical offices, might be available for the sustentation of the new Church. In a carefully selected "Commission of the King's Majesty and the Reformed Kirk of Scotland," early in 1572, the Regent secured the passing of articles embodying this innovation, by superintendents and ministers representing the Kirk.[1]

The General Assembly meeting in August protested against the use of the titles desired by the Government,[2] even though the enactments of the Convention had laid down that the new incumbents were to perform their functions, as if they were simple superintendents under the Presbyterian polity of 1560.[3] This arrangement led to constant friction between the nominal bishops and the General Assembly, to which, as superintendents, they were responsible.[4] When it was found, in the course of the next couple of years, that the Crown and the nobility were so manipulating the hierarchy, by the device of Tulchan bishops, that they were draining the bulk of the ecclesiastical revenues into their own pockets,[5] the feeling in the General Assemblies ran very high against the titular bishops. At last the Regent realised that the policy of 1572 must be modified. What had formerly been, from the Church's point of view, purely a question of finance, had, by Morton's policy, become inextricably bound up with the matter of the organisation and government of the Church. Hence the Regent's recognition that the arrangement of 1572 was too unpopular to be longer upheld, took the form of the appointment of a parliamentary

[1] *Acts of the General Assembly*, vol. i. pp. 207-36.
[2] *Ibid.*, vol. i. p. 246. [3] *Ibid.*, vol. i. p. 209.
[4] *Ibid.*, vol. i. pp. 255, 261, 269-70, 273-74, 286-87, 288, 300, 301, 315, 320.
[5] *Ibid.*, vol. i. pp. 270, 310-11, 314-15.

committee to reconsider the question of "a decent and comely government in the Church."[1]

The Ecclesiastical Polity Reconsidered.

The Assembly which met in March 1575 immediately followed suit, by re-appointing a former committee of their own to report their opinions on "the policy and jurisdiction of the Kirk" to the Assembly.[2] Andrew Melville was a member of Assembly for the first time on this occasion, and was appointed to the committee.[3] In the Assembly held in August of the same year, the question was debated whether the office of bishop, as permitted in the Scottish reformed church, was orthodox or not.[4] Melville at once took up the leadership of the anti-hierarchical party.[5]

Having recently returned to Scotland,[6] Melville could view the questions at issue unprejudiced by the passions of past conflicts, while at the same time the Assembly attached great weight to his opinions, as those of one who was in a position to expound the point of view of Béza, Calvin's successor in Geneva. The Assembly had pursued a vacillating policy since Knox had ceased to lead the Church. In Melville there appeared at a critical moment just the leader that was needed. He could hold to his purpose as inflexibly as Knox himself, and in his person he renewed the tie between the Scottish Church and the Franco-Genevan Reformation movement.

Once more it seems that we must guide our comparative study of the later revised Scottish polity, by the consideration of the foreign experience of those who took part in the revision.

[1] M'Crie's *Life of Melville*, vol. i. p. 109. *Acts Parl. Scot.*, vol. iii. p. 89.

[2] *Acts of the General Assembly*, vol. i. p. 325.

[3] James Melville's *Diary*, p. 52.

[4] *Acts of the General Assembly*, vol. i. pp. 342-43.

[5] M'Crie's *Life of Melville*, vol. i. pp. 125-26. James Melville's *Diary*, p. 52.

[6] James Melville's *Diary* (Wodrow Society), pp. 37, 44.

II. The Previous Constitutional Experience of the Leaders in the Kirk in 1575.

Andrew Melville.

Six years of study in France,[1] and five years of teaching and study in Geneva,[2] formed Melville's educational theory and practice on the lines of the Protestant Humanism of Calvin and Béza.[3] Melville's early sympathy with French Protestant thought, is attested by the fact of his having been regarded as a Huguenot suspect before leaving France in 1568.[4] Throughout his residence in Geneva, Melville had every opportunity and inducement to study the conditions and development of the French reformed church in detail. He was a close friend of Béza,[5] and Béza was constantly consulted by the French Church on all its problems.[6] In 1571, in particular, the Genevan Church very unwillingly risked Béza's person, by allowing him to preside at the French National Synod of La Rochelle.[7] All Béza's colleagues in Geneva would naturally take a keen interest in the proceedings of that Synod. There the constitution of the French Church was discussed and reaffirmed.[8] When the French refugees next year poured into Geneva, after the massacre of St Bartholomew, discussion would naturally centre again on the affairs and problems of the French Church.

Melville's long residence in Geneva, as Professor of Humanity in the Academy, gave him an intimate knowledge of the constitution of the reformed church of that city.

One outstanding characteristic of Béza's personality was

[1] James Melville's *Diary*, pp. 39-41. M'Crie's *Life of Andrew Melville*, vol. i. pp. 17-18, 28, 31.

[2] *Ibid.*, pp. 41 ff. *Ibid.*, vol. i. pp. 32-35, 54.

[3] M'Crie's *Life of Andrew Melville*, vol. i. p. 67. James Melville's *Diary*, pp. 49-50.

[4] *Ibid.*, vol. i. p. 30. *Ibid.*, pp. 40-41.

[5] M'Crie's *Life of Melville*, vol. i. p. 38.

[6] Baird's *Theodore Béza*, pp. 243, 252-54.

[7] *Ibid.*, pp. 245, 247. [8] *Ibid.*, pp. 246-48.

the amazing industry that he bestowed on a correspondence, which kept him in touch with the reformed churches all over Europe.[1] Melville's intimacy with Béza could not fail to give him a familiarity with the Swiss Church constitutions outside Geneva, and an unusual width of outlook on the whole European situation. These continental connections of Melville make it probable that the constitutional changes, effected in the Scottish Church between 1578 and 1592, should betray their foreign origin by resemblances to those reformed churches with which it is known that Melville was familiar.

Common to Knox and Melville was a realisation that the fate of the Reformation in Scotland was dependent on the fate of the other reformed churches of Europe. Having themselves lived in the midst of the alarms, occasioned in France and Geneva by the innumerable intrigues of the French and Spanish courts with the Vatican, they could estimate the great political and military resources of the enemies of the reformed faith.[2] They realised, as their home-bred followers could not easily do, the necessity for alliance and common action among those states which had declared for the Reformation. It was Knox who, by his strenuous personal endeavour, had shared with Maitland of Lethington the responsibility for negotiating the alliance between the Scottish "Congregation" and Protestant England in 1559.[3] In 1588 it was Melville who convened an extraordinary meeting of the General Assembly,[4] which led to the rallying of the Protestants of Scotland to sign a bond to defend their faith and country. In consequence, Spanish Papist intrigues at the Scottish court were checked,[5] and the Spanish Armada deprived of assistance from Scotland. Knox's policy had aimed

[1] Baird's *Theodore Béza*, p. 239, 254.
[2] *Acts of the General Assembly*, vol. ii. p. 602.
[3] Knox's *Works*, vol. ii. pp. 15-43.
[4] *Acts of the General Assembly*, vol. ii. p. 703.
[5] M'Crie's *Life of Andrew Melville*, vol. i. p. 291-93.

at convincing England that the French attack on Scotland was an indirect attack upon England.[1] Melville's aim was to impress upon the Scottish Protestants, that they were as vitally interested as their English neighbours in the result of the challenge of Roman Catholic Spain to the sea power of England.

As long before the Armada as 1567, there is proof in the *Acts of the General Assembly*, of the anxious interest with which the leaders of the Church watched the struggle of the Protestants of the Low Countries against Spain. In the circular letter, requesting the nobility to attend the special meeting of the Assembly, to take place in July 1567, the Assembly of June referred to "the whole flock of Jesus Chryst within this realme continuallie threatnit with the execution of that most cruell decreit of the last counsell of Trent, wherein was determinit and decreeit to make ane sacrifice of the whole professors within all Europe be the tyranny of that Roman Antichryst. We are not ignorant how farre the samein was attemptit be way of deid within the realme of France, how farre now in Flanders and the parts neir adjacent thereto."[2] . . . . The Assembly of February 1588, announced as a reason for proclaiming a fast, "the universal conspiracies of the ennemies of the trueth against Christ's Kirk to put in executioun the bloodie determination of the Counsell of Trent."[3] It is evident from these quotations that the Scottish Church anxiously watched the fortunes of their fellow Protestants in the Low Countries. It is, therefore, necessary to look into the Protestant Church constitutions forming there, as there is apparently a chance of their having influenced the Scottish polity.

The Reformed Churches of the Netherlands.

Through the long years of Spanish persecution up to 1569, the Protestants of the Low Countries could only form themselves into secret congregations—an exception being Friesland,

[1] Knox's *Works*, vol. ii. p. 37.
[2] *Acts of the General Assembly*, vol. i. p. 94.
[3] *Ibid.*, vol. ii. p. 727.

where a Church was organised throughout a wider district.[1] After 1568 the Protestants began to rally round William the Silent, as their leader against the Spanish tyrants, and a number of attempts were made at holding Synods drawn from wider districts, and at reaching a uniformity of Church constitution. Those Church polities set forth at Embden in 1569,[2] at Dordrecht in 1572,[3] and at the Hague in 1585-86[4] were framed on the lines of the French and Swiss Churches, with a preference for the French independence of State control; those drawn up by the Prince of Orange and the States of Holland and Zealand and their confederates in 1577,[5] and by the States of Holland in 1590,[6] while also accepting a combination of the French and Swiss arrangements of Church courts, limited the independent action of the Church, by placing the State Magistracy in a relation to the Church, similar to that which it occupied in the Genevan polity. The state of the country was so war-ridden,[7] and the jealousy so great between State and State,[8] and between State and Clergy,[9] that no one of these varieties in church polity had any long life, or wide area of application.

In any case, the main consideration from the point of view of their possible influence on the Scottish polity lies in this, that none of their enactments contained any constitutional arrangement, which was not already present either in the French or the Genevan polity. The organisation of the Church constitutions of the Low Countries was much later in date than the organisation of the Genevan and the French Churches. Through the personal connection of Knox and Melville with Geneva and France, familiarity with their Church constitutions would be earlier gained in Scotland, and more widely diffused throughout the Church. Traits in the Scottish

[1] Blok's *History of the People of the Netherlands*, vol. ii.
[2] Brandt's *History of the Reformation in and about the Low Countries*, vol. i. p. 294. [3] *Ibid.*, vol. i. p. 311. [4] *Ibid.*, vol. i. p. 405.
[5] *Ibid.*, vol. i. pp. 318-25. [6] *Ibid.*, vol. i. pp. 438-39.
[7] *Ibid.*, vol. i. p. 389. [8] *Ibid.*, vol. i. pp. 385, 439, 3rd par.
[9] *Ibid.*, vol. i. pp. 311, 405, 438.

polity, therefore, suggestive of canons common to two or three of these European Churches, may be confidently assumed to have been suggested by France or Geneva, and the distinctive influence of the Low Countries during the period of Scottish reform, may consequently be presumed to be negligible.

The Committee of 1577.

From 1575-78 the General Assemblies nominated committee after committee to consider the problem of adjusting the reformed ecclesiastical polity, to fit the new political circumstances of the time.[1]

In 1577 a committee of eight reported to the General Assembly their conclusions in regard to the task entrusted to them of forming the "heads" of the polity.[2] Of these eight, six were veterans of the Kirk—Row, Pont, Erskine of Dun, Craig, David Ferguson, and David Lindsay. Their foreign interests we have already estimated as comprising among them the reformed churches of France, Geneva, and Switzerland,[3] while Row had also once been an active representative of the old Church unreformed. Two new names appear on the Committee, those of Andrew Hay and James Lawson. Of Andrew Hay's training and travels we now know nothing. Of James Lawson, Knox's successor in Edinburgh, it is recorded that before 1567 he had spent some time in Paris, Dieppe, and Cambridge, as tutor to the sons of the Countess of Crawford.[4] Here we have the influence of the French Church reinforced, and a possible influence of the English.

Revising the work of this Committee,[5] we find Craig and Lawson again, George Hay, once a priest in the old Church, and Andrew Melville representing the Genevan and French polities.

[1] *Acts of the General Assembly*, vol. i. pp. 362, 397-98 ; vol. ii. p. 409.
[2] *Ibid.*, vol. i. p. 384. [3] *Supra*, pp. 35, 70, 72, 75.
[4] *Dictionary of National Biography*, pp. 291, 302 ; *Wodrow Miscellany*, p. 447 ; Lord Lindsay's *Lives of the Lindsays*, vol. i. pp. 331-33.
[5] *Acts of the General Assembly*, vol. i. p. 385.

Other Members of the Reforming Committees.

These names appear repeatedly on the various committees of 1577 and 1578, linked with those of John Duncanson, James Carmichael, John Brand, Patrick Adamson, William Christison, James Craig, and Alexander Arbuthnot. With the exception of Arbuthnot, we have no sufficient information about these men to yield us any guidance in our inquiry. Arbuthnot was the Principal of the University of Aberdeen. Having studied civil law for five years under Cujacius prior to 1563,[1] he represents the influence of the French Church once more.

In this new attack on the problems of Church government, we find the influences of Geneva and France strongly reinforced by Andrew Melville, and that of France by Alexander Arbuthnot. Hence we may expect to see these influences reflected in the remodelled constitution. Further it would seem to be wise to keep an open mind still, as to possible suggestions arising out of the constitution of the Roman Catholic Church, and out of the reformed polities of Switzerland, the Netherlands, and England. The probability of English influence, however, is greatly lessened by the fact that the project of remodelling the polity had been made imperative by the attempt of the executive to force a hierarchy, similar to that of England, upon the reluctant Presbyterian Church of Scotland. The spirit of the Kirk in 1578 could not but be antagonistic to English ecclesiastical example.

III. The Origins of the New and of the Remodelled Institutions of the *Second Book of Discipline*.

In 1577 the revised constitution of the Scottish Church was ready to be submitted to the King on the motion of the General Assembly.[2] In 1581, in the form usually known as the

[1] Spottiswoode's *History of the Church of Scotland*, vol. ii. p. 319.
[2] *Acts of the General Assembly*, vol. i. pp. 397-98; vol. ii. pp. 404-5.

Second Book of Discipline, it was formally adopted by the Church, and recorded among the *Acts of the General Assembly*.[1] Except for its claims in regard to the ecclesiastical possessions of the old Roman Catholic Church, the substance of the revised constitution was legally established by the Acts of Parliament of 1592.[2]

The lines of development leading up to the new constitution can be traced in the series of Acts of the General Assemblies of this period.

The *First Book of Discipline* had taken a survey of the whole duties and activities of the Church that was springing up. The *Second Book of Discipline* concerned itself strictly with the constitution of the Church, and with the changes in the first outline, which the circumstances of the time called for. The two chief reforms consisted in the dropping of the office of superintendent, and in the institution of the new court of the Presbytery.

The Independent Activity of the Superintendents Curtailed.

The *First Book of Discipline* had declared that the office of superintendent was a purely temporary expedient, and was not meant to infringe in any way upon the principle of the parity of ministers.[3] In practice, it was found that the duties which had gathered round the superintendent's office were not of a temporary nature; while the existence of such an office in the Church had provided a loophole by means of which Episcopacy had been thrust upon the Church. During the years from 1572-80, when titular bishops were first permitted to hold office in the Scottish Church, these bishops were regarded by the General Assembly as Presbyterian superintendents or visitors, and dealt with accordingly.[4] Even apart from the Regent's

[1] *Acts of the General Assembly*, vol. ii. pp. 487-512.
[2] *Acts Parl. Scot.*, vol. iii. pp. 541-47.
[3] Knox's *Works*, vol. ii. p. 202.
[4] *Acts of the General Assembly*, vol. i. pp. 209, 288, 294, 301, 315, 320, 321, 325.

policy of 1572, it appears from the *Acts of the General Assemblies*, that there had come to be a growing realisation of the dangers to Presbyterianism involved in the office. There appears a tendency to reduce the individual responsibilities of the superintendent, by giving the Provincial Synod, the Kirk Session, and even the Exercise, a share in his duties. Thus, while in 1565 the superintendent was given power, to suspend refractory ministers, exhorters, and readers from their ministry and stipend, till the next meeting of General Assembly could settle the matter,[1] in 1576 his powers to suspend or depose ministers were to be used only in co-operation with his Synodal Assembly, or in case of urgency, with the Consistory of the parish concerned and the district exercise.[2] In 1570 superintendents had been directed to submit the books of their yearly visitations to the General Assemblies.[3] In 1576 the Provincial Synods were to testify to the accuracy of the accounts in these books, by appending their subscription to them before they were submitted to the General Assembly.[4] In 1580 every Provincial Synod was directed to nominate assessors to share the responsibilities of Commissioners of Counties,[5] *i.e.*, superintendents commissioned by the General Assembly.

By 1570 another consideration had gained in weight. It is clear that the General Assembly had reached the conclusion that, wherever possible, local ecclesiastical business must be conducted locally, in order to relieve the pressure of business in the General Assembly. The latter body in that year decreed that the superintendents in their Synodal Assemblies must endeavour to settle all difficulties of individual congregations, and must only present such problems to the General Assembly as the Synodal Assembly had been unable to solve.[6]

[1] *Acts of the General Assembly*, vol. i. p. 65.
[2] *Ibid.*, vol. i. p. 357.
[3] *Ibid.*, vol. i. p. 184.
[4] *Ibid.*, vol. i. p. 366.
[5] *Ibid.*, vol. i. p. 460.
[6] *Ibid.*, vol. i. pp. 191-92.

The Relationship between the Superintendent's Office and the New Court of the Presbytery.

When it had been decided to dispense with superintendents,[1] it was still necessary that the local business, which they had conducted, should be carried out locally. Experience of the part taken by the Synodal Assembly in the superintendent's duties, had proved that local church courts were capable of undertaking such work. There was a gap in the ecclesiastical administrative machinery between the weekly meetings of the Consistories of each congregation, and the half-yearly meetings of the Synodal Assemblies of the province. This gap had been bridged previously by the visitations of the superintendent. In 1580, when temporarily continuing the office of visitor or superintendent, the General Assembly clearly expressed its purpose, that the new Presbyteries should take the place of this office. The words of the enactment run: "Anent the office of visitours; forsameikle as it is considerit be the Kirk to be ane corruption, and to sound to tyrannie, that sick kind of office sould stand in the person of ane man, quhilk sould flow from Presbyteries; and nottheless the estate of tyme, and lake of present ordour for establisching and constituteing of Presbyteries, suffers not the present alteration of visitors . . ." etc.[2] Again, in 1590, when Presbyteries were being established throughout the country, the General Assembly resolved, "That quher the Presbyteries are weill and ordourlie constitute the yearlie electioun and nominatioun of Commissioners over countreyes, hitherto customablie observit in the Assembly, is not necessar nor expedient, the samein Presbyteries having establischit in thair awin selves a sufficient power to send out of thair awin number instructit with thair commissioun pro re nata, to take ordour with such things as falls out in thair bounds; Therfor it is thocht meitt and universallie concludit, That the said yearlie electioun of commissioners over

[1] *Acts of the General Assembly*, vol. ii. pp. 469, 497.
[2] *Ibid.*, vol. ii. pp. 469, 568-69, 587.

countreyes where Presbytries are weill and sufficiently constitute, sall cease in tymes comeing . . ."[1]

The Presbytery.

The *Second Book of Discipline* set up the new link between the local and the provincial administration in the court, which it designates indiscriminately as the Presbytery or the Eldership. This *Book of Discipline* refers to the Consistory or Kirk Session under the same title of the Eldership, and groups both courts together as being "of particular kirkis and congregations, ane or ma."[2] Taking the *Second Book of Discipline* by itself, this confusion of title would make it quite uncertain, whether the functions assigned to the Eldership referred to the Kirk Session or to the new Presbytery. Fortunately in 1586 the General Assembly, in a series of Articles submitted to the King, again enumerated these functions, in almost the identical words of the *Book of Discipline*, but this time clearly under the heading "Matters to be intreattit in the Presbyteries."[3] This giving of the title of Eldership to both courts, seems to have originated in an uncertainty on the part of the framers of the polity, as to whether it might not be better, in some districts at least, to substitute the new court for the Kirk Session.[4] "Quhen we speik of elders of particulare congregationis, we meane not that everie particulare parroche kirk can or may have thair awin particulare elderschip, esspeciall to land wart; bot we think three or four, ma or fewar, particular kirkis may have a commoun elderschip to thame all, to judge thair ecclesiasticall causes."[5] A somewhat similar arrangement was adopted in the Dutch Churches, where one Consistory ruled over all the congregations in one city.[6] However, it is clear that, in practice, the work of the Scottish Presbytery proved to be

[1] *Acts of the General Assembly*, vol. ii. p. 775.
[2] *Ibid.*, vol. ii. p. 497.
[3] *Ibid.*, vol. ii. p. 665.
[4] *Ibid.*, vol. ii. p. 508.
[5] *Ibid.*, vol. ii. p. 498.
[6] Lindsay's *History of the Reformation*, vol. ii. p. 272.

distinct from that of the congregational eldership; for, in 1586, the General Assembly declared, "Anent Particular Kirks; If they be lawfullie rulit be sufficient Ministers and Session, they have power and jurisdictioun of their awin congregatioun in matters ecclesiasticall, to take ordour therewith; and things that they cannot decyde, to bring them to the Presbyterie."[1]

The *Book of Discipline*, completed in 1577, defined the Presbytery as being composed of pastors, doctors, and elders, the elders being chosen out of each Kirk Session in the district.[2] Deacons were not to be members of this court.[3] It was explained in 1582 that the elders were to be exhorted always to attend the Presbytery, and that they were bound to do so when summoned by the pastors and doctors for important business. The ministers, on the other hand, were under an obligation to attend, under threat of penalties imposed by the Presbytery, and in case of contumacy complaint was to be made to the General Assembly.[4] In 1579 the General Assembly declared, that for practical purposes an established Exercise was to be regarded as the Presbytery for the district,[5] that is to say, for the sake of carrying on the work that was to be entrusted to Presbyteries, Exercises, already meeting regularly, were to act temporarily in both capacities. In 1582 it was added, that if the business before the Presbytery demanded it, the court could sit longer than the one day weekly assigned to the meeting of the exercise.[6] It was further laid down in 1582, that the Presbyteries were to elect their own moderators, to hold office from one Synodal Assembly to another; and that during the exercise of ecclesiastical discipline members of the Presbytery, who were not pastors or doctors, were to be fewer in number than the number of pastors and doctors.[7]

Such was the composition of the new court of the Presbytery.

[1] *Acts of the General Assembly*, vol. ii. p. 666.
[2] *Ibid.*, vol. ii. pp. 498, 499.
[3] *Ibid.*, vol. ii. p. 501.
[4] *Ibid.*, vol. ii. p. 567.
[5] *Ibid.*, vol. ii. p. 439.
[6] *Ibid.*, vol. ii. pp. 567-68.
[7] *Ibid.*, vol. ii. p. 567.

Its functions, as defined in the *Book of Discipline*, were these: —Presbytery was to see that the preaching was orthodox, the sacraments rightly administered, the finance honestly conducted, ecclesiastical discipline maintained, and the ordinances of the Provincial and General Assemblies carried out, in the congregations of its own district.[1] That is to say, that the Presbytery was to take over the duties of control over Kirk Sessions, formerly exercised by the superintendents and the General Assembly. The powers necessary for the performance of these duties were confirmed to the Presbyteries in 1582, when the General Assembly declared, that Presbyteries were to try the conduct of ministers within their bounds—though parish ministers were still also subject to the ecclesiastical discipline of their own Kirk Session[2]—and were empowered to administer ecclesiastical discipline, and to execute justice in ecclesiastical affairs.[3] Such powers were necessary to the Presbyteries for the purposes of their control over Kirk Sessions, and for the conduct of ecclesiastical business, as the court of first instance for a number of serious offences, enumerated in 1586,[4] and as the court of appeal from the Kirk Session.[5]

Presbyteries were further endowed, by the *Second Book of Discipline*, with legislative powers, enabling them to enact any rules necessary for the maintenance of order in their congregations, provided their Provincial Assembly was notified of their enactment.[6] This recalls similar legislative powers conferred on the French Provincial Synod.[7]

In common with the other Church courts, the Presbytery could at any time send out any two or more of its members as visitors within its own bounds, to conduct any particular inquiry.[8] By 1586, so completely had the control of its own district passed into the hands of the Presbytery, that a visitor,

[1] *Acts of the General Assembly*, vol. ii. pp. 498-99, 665-66.
[2] *Ibid.*, vol. ii. p. 506.
[3] *Ibid.*, vol. ii. p. 570.
[4] *Ibid.*, vol. ii. p. 666.
[5] *Ibid.*, vol. ii. pp. 498, 666.
[6] *Ibid.*, vol. ii. pp. 499, 666.
[7] Quick's *Synodicon*, vol. i. p. 35.
[8] *Acts of the General Assembly*, vol. ii. p. 497.

sent by the General Assembly for any specific purpose, was to be accompanied on his investigation by a delegated member of the Presbytery.[1] The Presbytery was further empowered, in 1582, to appoint its own representative to attend the General Assembly.[2]

Instead of the extraordinary powers for the appointment and deposition of ministers, formerly entrusted to superintendents,[3] there were given to the Presbytery powers of election to ecclesiastical charges in its district and of deposition from them.[4] Merely corollaries to this power, were the injunctions of General Assembly, that (1581) presentations to benefices were to be directed to Presbyteries;[5] that (1582) Presbyteries were to try and examine candidates for the ministry, to provide them with Churches,[6] and (1583) to give a pastor licence to leave one congregation to serve another.[7] Formerly it was one of the duties of the Synodal Assembly to conduct important examinations of candidates for pastorships, since, in the early days of the Reformation in Scotland, it was the Church court most likely to contain a sufficient number of educated men.[8] In 1578 the Presbytery was in a position to do the work as well, and, owing to the frequency of its meetings, more conveniently. The *Second Book of Discipline* did not withdraw from the Kirk Session the right, assigned to it in 1560, to conduct the election of the parish minister. But it endowed the Presbytery with similar powers; and it ignored, as unpresbyterian in spirit, that actual lay and ecclesiastical patronage, in which the reformed church was long forced by political circumstances to acquiesce.[9]

Such being the attributes of the Scottish Presbytery, the question arises, Can the origins of this court be ascribed to

[1] *Acts of the General Assembly*, vol. ii. p. 653.
[2] *Ibid.*, vol. ii. p. 568.
[3] *Ibid.*, vol. i. pp. 343, 357.
[4] *Ibid.*, vol. ii. p. 499.
[5] *Ibid.*, vol. ii. pp. 402, 514.
[6] *Ibid.*, vol. ii. pp. 570, 602.
[7] *Ibid.*, vol. ii. p. 622.
[8] Knox's *Works*, vol. ii. pp. 189-90.
[9] *Acts of the General Assembly*, vol. i. p. 357; vol. ii. pp. 509, 564, 602. *Acts of Parliament of Scotland*, vol. iii. p. 542.

foreign models? Courts for administering ecclesiastical business in a more or less restricted district did exist in the reformed churches of France, Berne, and Lausanne. In France the court was known as a Colloquy (1559),[1] in Berne and Lausanne as a Colloque or a Classe, according as it met principally for the discussion of Scripture, or for the exercise of ecclesiastical discipline over ministers.[2] The French Colloquy,[3] and the Classe of Lausanne,[4] both played an important part in the election of parish ministers. To the Colloques of France,[5] and of Berne,[6] was given a general commission to consider local ecclesiastical matters. They were also the assemblies at which discussions on the Scriptures and religious questions were carried on. And in this connection, it is illuminating to remember that the General Assembly regarded an established "Exercise" as the nucleus of the Presbytery which was to be.[7] When the French Provincial Synods were not in session, the Colloquys were to deal with intruding ministers,[8] and to act as a court of appeal from the Consistories.[9] From 1572 they were to undertake the duty of advising the Consistories in cases of disputed excommunications.[10]

All these functions of the district courts correspond to functions of the Scottish Presbytery. It is undeniable that Andrew Melville, who was the leader in the movement for the revisal of the constitution of the reformed church in Scotland, was familiar with the French and with the Swiss reformed polities. It is very probable that Melville, in advocating the formation of the Presbytery, regarded the district courts of these foreign Churches as corroborative

[1] Quick's *Synodicon*, vol. i. pp. 4, 13, 95.

[2] Ruchat's *Hist. de la Réformation de la Suisse*, vol. iv. pp. 417-19; vol. v. pp. 382-83.

[3] Quick's *Synodicon*, vol. i. pp. 3, 13-14, 107-8.

[4] Ruchat's *Hist. de la Réformation de la Suisse*, vol iv. p. 418; vol. v. p. 222.

[5] Quick's *Synodicon*, vol. i. p. 106.

[6] Ruchat's *Hist. de la Réformation de la Suisse*, vol. v. p. 382.

[7] *Acts of the General Assembly*, vol. ii. pp. 439, 567-68.

[8] Quick's *Synodicon*, vol. i. p. 4.

[9] *Ibid.*, vol. i. p. 72.

[10] *Ibid.*, vol. i. p. 108.

proofs of the efficacy of such local organisation of the Church. That those revising the Scottish polity could have regarded the Swiss courts as models, is disproved by composition of the latter, which was that of the ministers of the district alone, led by the magistrates.[1] The French Colloquy was, on the other hand, very similar in composition to the Scottish Presbytery. It was to be an assembly of Neighbour-Churches, with a minimum membership of six ministers, each of whom was to bring an elder with him. Deacons were to be allowed to be present, and to have votes. Only in questions of doctrine, the deacons were to have no voice, and for the decision of doctrinal points, doctors and professors of divinity were to be present.[2] But the Scottish Court differed even from the French court in composition, in so far as it entirely omitted deacons from its membership, and in the frequency of its weekly meeting, since as late as 1572 the Colloquy was to meet only four times a year.[3] The omission of deacons from membership in the new court suggests the increased influence of Geneva on the Scottish Church under Melville's leadership.

The French Colloquy and the Scottish Presbytery had some functions in common—the election and examination of ministers, the position of court of appeal from the Consistories, and the duty of advising Consistories in cases of disputed excommunications. But even in these duties the French differed from the Scottish organisation, in that, in general, the Colloquy seemed to be expected to perform some of its functions only when the Provincial Synod was not in session.[4] The election of French ministers was to be by two or three neighbouring ministers and their Consistories, *or* the Provincial Synod, *or* the Colloquy.[5] Consistories could appeal, presumably in urgent matters, such as would-be cases of disputed excommunications, to the Colloquy.[6] But the Provincial Synod in

[1] Ruchat's *Hist. de la Réformation de la Suisse*, vol. iv. pp. 417-18; vol. v. pp. 224, 382-83.
[2] Quick's *Synodicon*, vol. i. pp. 4, 95, 96, 106.
[3] *Ibid.*, vol. i. p. 106.
[4] *Ibid.*, vol. i. p. 4.
[5] *Ibid.*, vol. i. pp. 3, 107-8.
[6] *Ibid.*, vol. i. p. 108.

its half-yearly session was also an ordinary court of appeal from the French Consistory.[1] Apparently there was not enough ecclesiastical business in the smaller districts in France to occupy a local court meeting frequently. Hence the general charge of local affairs could be given to the Provincial Synod, and the Colloquy was instituted as an emergency court, at whose quarterly meetings urgent business could be disposed of. The Scottish Presbytery was to meet regularly every week.[2] Its rights in the matter of elections of ministers, was second only to the right of the congregation in question, to have the pastor of their choice.[3] Appeal from the Kirk Session was to be in the first place to the Presbytery, and to the Synodal Assembly only after the judgment of the Presbytery had been obtained, and had been deemed unsatisfactory.[4] The French polity, on the other hand, did not contemplate the exercise of any disciplinary control by the Colloquy over the ministers and congregations of its district.

The significant point appears to be that, between 1560 and 1578, Scotland had shot far ahead of France in the development of a Presbyterian ecclesiastical polity. In 1559 France had sketched the manner in which a Church, governed by Presbyterian courts, could expand that government to a national scale. From 1560-1578 the French reformed church had remained in the position of a proscribed and persecuted corporation, and was consequently unable to prove its theoretic polity by the touchstone of full application on a national scale. The Scottish reformers, more fortunate in quickly acquiring for their Church a national status, seized their opportunity to apply Presbyterian government to a Church yearly increasing the area of its influence among the Scottish people. This application of ecclesiastical theory to practical life disclosed vital shortcomings, not only in the

[1] Quick's *Synodicon*, vol. i. pp. 3, 4, 5, 13-14, 35.
[2] *Acts of the General Assembly*, vol. ii. pp. 439, 567-68.
[3] *Ibid.*, vol. i. p. 357 ; vol. ii. p. 499.
[4] *Ibid.*, vol. ii. pp. 498, 665, 666.

French outline, so far as it had been applied in Scotland, but also in the more purely Scottish parts of the Church polity. Only one other reformed church had reached such an advanced stage of organisation on a centralised national scale—that of England. As the English Church was organised on the system of hierarchical government, its experience could be no guide to the Scottish Presbyterian reformers of 1575-78. It was necessary for the Scottish Church to solve for itself the problem of combining, in a Presbyterian form of polity, local administration of local ecclesiastical affairs, with efficient district, provincial, and central control. The polities of the Swiss and the French Churches apparently suggested some of the ecclesiastical business which could be left to district courts. But the further organisation and practical development of these suggestions was carried out independently by the Scottish Church. The Scottish Kirk solved the problem by building upon the institutions of its earlier polity of 1560, and upon its own experience in the intervening years.

The institution of the court of the Presbytery was the main achievement of the *Second Book of Discipline*. Alterations in other parts of the constitution consisted principally of adjustments to facilitate the smooth working of the new court.

The Exercise and the Kirk Session.

Among the Scottish Church courts, those which show the least change in the revised polity are the Exercise proper, and the Kirk Eldership or Session, the court which the *First Book of Discipline* had called the Consistory. The Exercise, as distinct from the Presbytery, was unaltered by the *Book of Discipline*, and continued to be referred to separately.[1] In 1586 the earlier powers of the Kirk Session were confirmed,[2] while both in the *Book of Discipline*[3] and in the General Assembly of 1586 its jurisdiction was declared to be subject to appeal in the first instance to the Presbytery.[4]

[1] *Acts of the General Assembly*, vol. ii. p. 567. [2] *Ibid.*, vol. ii. p. 666.
[3] *Ibid.*, vol. ii. p. 498. [4] *Ibid.*, vol. ii. pp. 498, 666.

The Synodal Assembly.

The president of the Synodal Assembly, whether in the person of the superintendent, visitor, or bishop of the Province, had been removed by the readjustments of the *Second Book of Discipline*, and it was arranged that a moderator should be chosen from among its own members,[1] as was the custom in all French Assemblies.[2]

In 1582, expression was given to the fact that the Presbytery was already regarded as an integral part of the polity, by the declaration that Synodal Assemblies were to be composed of the diverse Presbyteries within their bounds.[3] Like the other Church courts, the Synodal Assembly was given powers to send out visitors within its own bounds for the execution of specific investigations, and to adjoin one or more of their own number to visitors sent by General Assemblies into its Province.[4] As in the cases of the other courts, these powers reflect the influence of the Swiss Church organisation.[5] The Synod was to be the first court of appeal and redress from the new Presbytery.[6] The assertion, in 1586, that the Synodal Assembly was possessed of the whole power of the Presbyteries,[7] was simply a mode of expressing the fact, that to them was entrusted a power of control and supervision over Presbyteries, such as was to be exercised by Presbyteries over Kirk Sessions.

The General Assembly.

Advantage was taken of the new definitions of the *Second Book of Discipline*, to restrict the voting membership of the General Assembly to ecclesiastical persons only, such being defined in 1586 as pastors, doctors, and elders.[8] From the

[1] *Acts of the General Assembly*, vol. ii. pp. 497, 567.
[2] *Hist. Ecclésiastique*, vol. i. p. 216.
[3] *Acts of the General Assembly*, vol. ii. p. 601.
[4] *Ibid.*, vol. ii. p. 497.
[5] *Calvini Opera*, vol. x. pp. 45-48, 99.
[6] *Acts of the General Assembly*, vol. ii. p. 665.
[7] *Ibid.*, vol. ii. pp. 500, 665. [8] *Ibid.*, vol. ii. pp. 500, 560.

time of the earlier assemblies, as in 1563, it had been the custom for the Protestant nobility, "barronis, Gentilmen, Burgesses and Utheris" to attend and take part in Assembly business.[1] Such members are not forbidden to attend in 1581, but their part in the proceedings was restricted to proposing, hearing, and reasoning.[2] These regulations, in excluding deacons from membership of this court, and in denying full membership to officers of State and to lay attenders who were not elders, betrays the renewed influence of Geneva, where all the Church courts were composed either of ministers and doctors, or ministers and elders.[3]

It was affirmed in 1581, and reaffirmed in the following year, that the Church courts, and consequently in particular the General Assembly, were to enjoy full power to make and abrogate all statutes and ordinances concerning ecclesiastical matters.[4] This was an assertion of the full sovereignty of the Church in the spiritual sphere. This recalls the principle of the French "Discipline Ecclésiastique," that it lay with the National Synod to decide upon the expediency of changing the rules therein contained (1559).[5]

One original duty of the Scottish superintendent, that of seeing to the establishment of a sufficient number of Churches, was transferred to the General Assembly.[6]

In a Church founded upon protest against the erroneous doctrine of the Roman Catholic Church, it was of great importance that lapse of time should not allow errors of doctrine to slip into the reformed church. Accordingly, in 1581, the trial of ministers' doctrine was declared to be a function of the General Assembly itself.[7] This was an arrangement differing

[1] Knox's *Works*, vol. ii. pp. 84, 87, 89, 422, 424. *Acts of the General Assembly*, vol. i. p. 38. [2] *Ibid.*, vol. ii. p. 500.

[3] *Corpus Reformatorum XXXVIII.* Gaberal, *Histoire de l'Eglise à Genève*, vol. i.

[4] *Acts of the General Assembly*, vol. ii. pp. 498, 557, 601.

[5] *Hist. Ecclésiastique*, vol. i. p. 220. Quick's *Synodicon*, vol. i. pp. 7, 15.

[6] *Acts of the General Assembly*, vol. ii. p. 500.

[7] *Ibid.*, vol. ii. pp. 528, 529.

somewhat from that of the French Church, which did indeed assign this function in part to the National Synod,[1] but also to the Colloquy and the Provincial Synod.

Doctors.

Doctors are for the first time enumerated among the members of the Synodal Assembly,[2] by the *Second Book of Discipline.* This introduction of doctors into the membership of Presbyteries, Synods, and General Assemblies may be presumed to be attributable to the influence of Andrew Melville. He worked unremittingly from 1574 to 1580 to raise the standards of learning in Glasgow University,[3] and from 1580 onwards in St Andrews.[4] He had returned from Geneva imbued with humanistic zeal for the new learning, and with a reverent confidence in the wisdom of the learned. There was, moreover, the precedent of the French Church, to point the advantages of having the official teachers of divinity among the members of the Church courts.[5]

In 1580, the General Assembly emphasised the importance which they had come to attach to the office of doctor, by enacting that a minister might be permitted to give up his pastorship to become a doctor.[6] This permission received the more emphasis from an enactment by the same Assembly, that a minister, having for any other reason abandoned his ministry and lapsed into civil life, was not to be allowed to reassume office in the church, even to the extent of becoming an elder.[7]

Ministers.

The institution of the Presbytery in 1581 somewhat changed the position of the parish ministers, in so far as the

[1] Quick's *Synodicon*, vol. i. pp. 16, 96.
[2] *Acts of the General Assembly*, vol. ii. pp. 495, 497.
[3] M'Crie's *Life of Andrew Melville*, vol. i. pp. 66-70.
[4] *Ibid.*, vol. i. pp. 163-71.
[5] Quick's *Synodicon*, vol. i. pp. 32, 96, 106.
[6] *Acts of the General Assembly*, vol. ii. p. 469.
[7] *Ibid.*, vol. ii. p. 472.

Presbytery was made the court with which they were principally to deal in matters of elections, depositions, and the general control of their conduct in office,[1] censures on their doctrine only, being directly referable to the General Assembly.[2] It has been pointed out that the French Colloquy held an important charge in relation to the elections of ministers.[3] But in the matter of depositions and control of ministers' conduct in office, the Scottish polity did not follow the French. For the French ministers were responsible in most matters to the Provincial Synod.[4] In 1582, the onus of executing all summons concerning his parish, and of seeing that Presbytery instructions were carried out, was placed on the parish minister.[5]

Readers.

In 1581 the General Assembly dropped the office of Reader altogether from the polity of the Church of Scotland, by forbidding any further admissions to that office.[6]

Elders.

By the injunctions of the *Second Book of Discipline*, the Elders of the Church were to hold office for life, if necessary working in relays,[7] whereas they had previously been elected annually. This change brought the Church of Scotland more into line with the French Church, where, though not appointed for life, elders could not leave their office until the Church had given them permission (1559),[8] and with that of Geneva, where an annual inquiry into the elders' conduct in office decided whether or not their services should be retained.[9]

[1] *Acts of the General Assembly*, vol. ii. p. 499.
[2] *Ibid.*, vol. ii. p. 499.
[3] Quick's *Synodicon*, vol. i. pp. 3, 107, 108.
[4] *Ibid.*, vol. i. pp. 3, 4, 5, 107-8.
[5] *Acts of the General Assembly*, vol. ii. p. 568.
[6] *Ibid.*, vol. ii. p. 513. [7] *Ibid.*, vol. ii. p. 496.
[8] *Hist. Ecclésiastique*, vol. i. p. 218. Quick's *Synodicon*, vol. i. pp. 5, 14, 66. [9] *Calvini Opera*, vol. x. p. 23.

In 1582 the General Assembly declared that, for the administration of ecclesiastical discipline in the meetings of Presbytery, members of the court who were not pastors or doctors were to be fewer in number than the pastors and doctors.[1] This restriction recalls in its form the very reasonable arrangement of 1560 in the French Church, that on questions of doctrine in the Provincial and National Synods, the votes of deacons and elders were to be reduced to be equal to those of the ministers.[2] As the Presbytery was to be thenceforward the principal court for the exercise of ecclesiastical discipline in the case of ministers, the new restriction suggests a retrograde step, from the absolute equality of lay and cleric, before the courts of the church, and from the principle of the participation of elders in all Church administration, as laid down by the Knoxian reformers. It has the appearance of originating in the Genevan experience of Melville, for there judgment of the conduct of the ministry lay with a court composed of ministers only.[3] The Scottish restriction of 1582 neither goes so far as the principle of the Genevan polity, nor did the restriction apply solely to cases relating to ministers. But the matter serves as an illustration of the greater formative influence of the Genevan Church on that of Scotland after 1574.

Deacons.

A further evidence of the influence of Geneva appears in the curtailment of the importance of the office of Deacon in the *Second Book of Discipline.* In the polity of Knox the deacons were to be members of the courts of the Consistory[4] and Synodal Assembly.[5] According to the *Second Book of Discipline*, they were not to be members of any Church court,[6] and this corresponds to the position which the deacons held

[1] *Acts of the General Assembly*, vol. ii. p. 567.
[2] Quick's *Synodicon*, vol. i. p. 16.
[3] *Calvini Opera*, vol. x. p. 20.
[4] Knox's *Works*, vol. ii. pp. 228, 230, 233 ; vol. iv. pp. 177-78.
[5] *Acts of the General Assembly*, vol. i. p. 29.
[6] *Ibid.*, vol. ii. pp. 497, 501.

in the Genevan Church. Their popular election, and their responsibility to the Kirk Session and Presbytery,[1] remained to distinguish the Scottish office from the Genevan. But with the loss of their right to membership in the Church courts, the Scottish deacons lost the main part of the dignity of their position as office-bearers in the Church, and the popular basis of Knox's Church courts was correspondingly narrowed.

Visitors.

The office of visitor, as retained in the *Second Book of Discipline*, was deprived of all those distinctive attributes which had belonged to the Scottish superintendent. The title of visitor was thenceforward only to be applied to any member of a Church court, who was sent out by that body, to inspect ecclesiastical affairs within the bounds of the court's own jurisdiction.[2] Such was the principal purpose of the visitors chosen annually in Geneva,[3] and the Scottish office, in its new form, seems to be directly attributable to the Genevan example. But, the dangers inherent in the office having been proved, the Scottish visitors were not to be appointed at any regular intervals, as were those of Geneva, but from time to time as occasion arose.[4]

Church and State.

The *Second Book of Discipline*, and sundry enactments of the General Assembly, dealt in some detail with the vexed question of the relations between Church and State. The Church's treatment of this problem did not display a grasp of practical statesmanship, nor was any satisfactory and workable solution of the problem reached before 1689. Nevertheless, the attitude which the Scottish reformers expected the State to adopt in relation to ecclesiastical affairs was clearly laid down, and must be recognised as a part of the sixteenth-century

[1] *Acts of the General Assembly*, vol. ii. p. 501.
[2] *Ibid.*, vol. ii. p. 497.
[3] *Calvini Opera*, vol. x. pp. 45-48, 98-99.
[4] *Acts of the General Assembly*, vol. ii. p. 775.

polity as then devised. The State was to command the Kirk, to execute its office, without prescribing how it was to be done; to punish vice in general, and in particular to inflict civil penalties on those excommunicated by the Church courts; to maintain the jurisdiction, liberty, quietness, and possessions of the Church, and to advance its interests by legislation; and to see to it that the Church had sufficient funds.[1] The Church was to be represented in Parliament by Commissioners appointed by the General Assembly.[2] Yet the State was to be given no control at all in the affairs of the corporate body ecclesiastical. Full, independent sovereignty, as in France,[3] was claimed for the Church in the spiritual sphere,[4] and also the right on the part of all the Church Assemblies to choose the times and places of their own next meetings, without interference by the State.[5] It was declared that the civil power had no control, or right of judgment, on any question as to the orthodoxy of ministers' doctrine.[6] Those exercising the jurisdiction of the State, were to exercise no jurisdiction in the Church, and *vice versa*.[7] Personally the magistrates were to be submissive to the ecclesiastical discipline exercised by the Church courts, as in the case of private citizens.[8] It was part of the office of the ministry to teach the magistrate how the civil jurisdiction should be exercised according to the Scriptures,[9] but the magistrate was forbidden to prescribe any rule as to the way in which the Church should perform any of its functions.[10]

In Mediæval Europe the claim of the Papacy, that the spiritual power was supreme over the temporal, had in practice been tempered within the limits of each nation, by the control which the crown exercised over the appointments

[1] *Acts of the General Assembly*, vol. ii. pp. 490, 502-3.
[2] *Ibid.*, vol. ii. pp. 527, 606.
[3] *Hist. Ecclésiastique*, vol. i. p. 220. Quick's *Synodicon*, vol. i. pp. 7, 15.
[4] *Acts of the General Assembly*, vol. ii. pp. 498, 557, 601.
[5] *Ibid.*, vol. ii. p. 497.
[6] *Ibid.*, vol. ii. pp. 528, 529.
[7] *Ibid.*, vol. ii. p. 489.
[8] *Ibid.*, vol. ii. p. 490.
[9] *Ibid.*, vol. ii. p. 490.
[10] *Ibid.*, vol. ii. p. 490.

to the national hierarchy. This body of clerics had in turn supplied the personnel for the filling of the high offices of State, and so had tended to become identified with national rather than with papal policy.

The menace to the authority of the Scottish Crown involved in a claim to spiritual independence, on the part of a Presbyterian Church, lay in the impossibility of any such control of Church policy through an episcopate. The claim threatened to be particularly dangerous in its results towards the close of the sixteenth century, owing to the numerous political factors of financial and social unrest in the country, some of which have only recently been carefully estimated.[1]

But it appears from the Church records, that the reformers had been impressed by Calvin's opinions on the problem of Church and State,[2] and by the example of the mutually helpful relations between Church and magistracy in Geneva—especially by the advantage enjoyed by the Presbyterian Church there, in being accorded the full support of the authority and prestige of the State. They failed to realise that the successful working out of such relations between Church and State depended entirely on conditions which were present in Geneva, but absent in Scotland.

In the city-state of Geneva, in the first place, the personnel of the magistracy itself, equally with the ministry of the Church, was recruited from the same class as formed the main body of the Church membership. In the second place, through the conditions of election to the eldership of the Church,[3] the magistracy exercised a prevailing influence in the Church courts, while by the same means gaining additional

[1] Masson's *Introduction to the Register of the Privy Council of Scotland*, vol. i. (2nd series) pp. cxxxvii.-cxlii., clxv.-clxxiv. ; and *Scottish Historical Review*, January 1923, pp. 113-14 (Article by R. K. Hannay).

[2] Calvin's *Institution de la Religion Chrestienne* (edited by Lefranc, Chatelain and Pannier, 1911), pp. 755, 761. Kampschulte's *Johann Calvin*, p. 475.

[3] *Calvini Opera*, vol. x. pp. 18, 20, 29, 100. *Johann Calvin* by Kampschulte, p. 431.

prestige for its political position, and an invaluable insight into the political needs of the people.[1] The magistracy, which was in such a position, could afford to support the State Church with its political authority and ecclesiastical revenues.

There was no possibility of similar relations between the Scottish Crown and the reformed church, as constituted in the *Second Book of Discipline*. The demands made by the Scottish Church upon the State were impracticable under the political conditions of the time, and the impasse thus created led to the long struggle between the Crown and the Church, which continued to flare up intermittently for a century to come.

The reformed church was not in a position to force the State to perform the functions assigned to it in 1581.[2] But the Church made a determined struggle at this time to maintain its own activities as independent of State interference, and voiced the principles of the *Second Book of Discipline* in a series of expostulatory declarations in 1582. It claimed that the jurisdiction of the Church was not to be interfered with by an action in civil law; that no person outside the Church, and no magistracy in Scotland, was to presume to place or displace ministers, without admission by the Kirk, or to silence preachers, or to judge in trial of doctrine, or to hinder, or to stay, or to disannul censures of the Kirk, or to exempt any offender therefrom.[3] In 1586 it was petitioned that, in cases concerning deprivations of ministers, the General Assembly, not the High Court of Session, should be the final court of appeal.[4]

In consideration of some slight concessions on the part of the Church, the Crown, in the Parliamentary Acts of 1592, confirmed all these claims as to the independent jurisdiction of the Church.[5] Parliament unconditionally confirmed "the privilege that God hes gevin to the spirituall office beraris in the Kirk concerning heads of religioun, materis of heresie,

[1] Gaberel's *Histoire de l'Eglise de Genève*, vol. ii.
[2] *Ibid.*, vol. ii. p. 487.
[3] *Acts of the General Assembly*, vol. ii. pp. 582-84, 600-3.
[4] *Ibid.*, vol. ii. pp. 661-62.
[5] *Acts Parl. Scot.*, vol. iii. pp. 541-47.

excommunicatioun, collatioun or deprivatioun of ministeris or ony sic essentiall censors speciall groundit and havand warrand of the word of God."[1] In regard to the Church's right to appoint the time and place of meeting for ecclesiastical courts, a compromise was reached, in which the Church practically had the advantage. The General Assembly was to meet at least once a year, and more often *pro re nata*, the King or his Commissioner, if in attendance, to appoint the time and place for the next meeting; and in case the King or his commissioner were not present, the General Assembly itself was to make the arrangement.[2]

One concession the reformed church was pressed into yielding to the vested rights in Church patronage. It was enacted that any minister, presented by a lay patron to a Presbytery, for appointment to a charge within its bounds, must be appointed to that charge, if he was found by the Presbytery to be a qualified person.[3]

Otherwise, the Presbyterian constitution of the Church, as expounded in the *Second Book of Discipline* and in subsequent enactments of the General Assembly, was legally recognised as the polity of the Church of Scotland, by the Parliamentary Acts of 1592.

Summary of Conclusions as to the Origins of the Constitution of 1592.

To sum up our consideration of the origins of Scottish ecclesiastical institutions, developed during the period of the production of the *Second Book of Discipline*, the most important foreign influences appear to have been those of France and Geneva.

A measure of restriction in the democratic spirit of the Scottish polity was introduced during this period. The wide democratic basis of the Knoxian constitution was seriously interfered with in two respects.

[1] *Acts Parl. Scot.*, vol. iii. p. 542. [2] *Ibid.*, vol. iii. p. 541.
[3] *Ibid.*, vol. iii. p. 543.

1. It has been pointed out that the earlier constitution gave a share in all ecclesiastical business to ministers, elders, and deacons alike. This parity of office-bearers was infringed between 1574 and 1592 by two enactments, both seemingly due to the influence of Geneva, viz., That deacons were not to be members of any Church courts; and that in the exercise of ecclesiastical discipline in presbyteries, pastors and doctors were to be more numerous than elders.

2. In considering the polity of 1560, it was found that individual lay members of the congregations possessed wider rights of direct action than were exercised by members of any other reformed churches, except those of a'Lasco and of Lambert. These rights of Church members were restricted by three new enactments—by that conferring on the Presbyteries powers to appoint parish ministers, subject only to securing the consent of the congregation to the minister chosen, an alteration due to French influence; by that clause in the Parliamentary Acts of 1592, which laid down that any minister presented by a lay patron to a Presbytery for appointment to a charge within its bounds, must be appointed to that charge, if he was found by the Presbytery to be a qualified person; and by that which put an end to the annual election of elders, and substituted election for life, as was the custom in both France and Geneva.

The breadth of the basis of voting membership of the General Assembly was reduced in 1586 to the ministers, doctors, and elders, as in Geneva, whereas in the earlier years of the Scottish Reformation the lords of the congregation had taken a leading part in the business of the General Assembly.

During the period from 1574-92 there are further traces of the formative influences of France and Geneva, which are not of this retrogressive nature. French influence on the Scottish system of ecclesiastical courts is again evident, in the similarity between the French Colloquy and the Scottish Presbytery in general composition and local character, in its position as court of appeal from Consistories, and in its function

of advising Consistories on excommunications. The example of the French Church was further followed in the claim of the Scottish Church to possess full independent sovereignty in ecclesiastical affairs—a claim embodied in the exercise of ecclesiastical legislative power independently of the State; in the constituting of the General Assembly the supreme court in all Church pleas; and in the right to choose times and places for the meetings of the Church courts.

The Genevan influence further appeared in the power conferred on Scottish ecclesiastical courts to send out visitors in the districts under their control, as well as in the point that the function of such visitors was to make specific inquiries; and in the claim of the *Second Book of Discipline* for definite and extensive assistance from the State.

During this later period the Church of Scotland continued its earlier policy of freely developing the system of ecclesiastical courts, suggested by the example of France, in conformity with its opportunities for more efficient organisation, and with the more democratic basis of its constitution. Accordingly, the Scottish polity made sure that the new Presbytery should have its district under efficient control, by holding that court responsible for the organisation of all ecclesiastical activities within its district, and by empowering it to enact by-laws. At the same time the efficient supervision over the authorities of wider areas was ensured by empowering all ecclesiastical courts to send out visitors for the purpose of making specific inquiries, and by giving the Synodal Assemblies full power over Presbyteries. The original duty of superintendents, to see to the establishment of a sufficient number of churches, was handed over to the General Assembly. Uniformity of doctrine was secured, by arranging that all questions in regard to doctrine were to be treated of in the same court. The continued parity of ministers was guaranteed by the provision, that visitors were to be appointed only from time to time, as the need for specific inquiries arose.

GENERAL CONCLUSIONS

General Summary of Conclusions as to the Origins of the Scottish Church Polity of the Sixteenth Century.

Reviewing our inquiry as a whole, it may be said that the evidence, arising out of this comparative study of early Protestant polities, has been largely of an indirect character. But the parallels between Scottish ecclesiastical institutions, and parts of those foreign constitutions which the Scottish reformers had had opportunities for studying, have been in most cases so clear and suggestive as to throw much light on the sources of the Scottish polity.

The examination of the earlier religious agitations, leading up to Knox's first reformed ministry in St Andrews Castle, brought out the point, that up to 1547, although the Reformation movement had advanced along anti-hierarchic lines, there is no evidence of a distinctively Presbyterian Church organisation.

The first application of Presbyterian principles of church government in Scotland appears to have taken place about 1558, when the personalities of Knox and Willok had become predominant in the Scottish movement. From this point onward, it was possible to seek in contemporary records of the Scottish polity itself, for internal evidence of the origins of the Presbyterian institutions of the Scottish reformed Church.

The claim was noted, which was made in regard both to the original polity of 1560 and to the developed and altered constitution of 1578 and 1592, that the only model kept in view by the reformers was that of the primitive Church described in the New Testament. The similarities, which

have appeared in the course of the inquiry, between the Scottish polity in its various phases and earlier and contemporary reformed church constitutions, are so numerous and so close, as in themselves to invalidate the claim that the Scottish polity was purely Scriptural. In support of the probability of a constitutional inter-relation between other reformed churches and that of Scotland, it was pointed out that Lambert and a'Lasco, firm adherents of the principle of the perfection of the Apostolic Church of the New Testament, each published the constitution of his Church, in the expectation of its being regarded as a model by succeeding reformers. There was also direct evidence of the fact that Knox himself had sought conformity with other reformed polities, in his work on the continent.

In contrast with the simple Scriptural origin claimed for the Scottish reformed polity, stands the highly composite origin, of which internal evidence has been found in the forms of the constitution itself. There is evidence of the formative influences of Lambert's Hessian constitution, of the Swiss, and especially of the Genevan reformation, of the foreign churches of a'Lasco and of Pullain in England, with some slight influence of the Edwardian Church of England itself, and of close study of the new French ecclesiastical polity.

The most obvious and striking influence was found to be that of France. From France came the framework of the Scottish system of Church courts. From France, and from a'Lasco's London polity, came the distinctive principle, that the three kinds of office-bearers common to all Presbyterian Churches, as representing the general body of congregational members, were to exercise, in and through the ecclesiastical courts, the legislative, administrative, and judicial functions of the Church as a corporate body.

But the peculiarly democratic basis and spirit of the Scottish polity became apparent from the first, in 1560, in the regulations as to the elections of office-bearers. These regulations were found to ensure that the representative

courts of the Church should not become close corporations. Further, the Scottish polity secured to the general body of Church members rights of direct participation in such ecclesiastical activities, as the election of office-bearers, and the discussion and interpretation of the Scriptures. These principles of Church government appeared to have their origin in a'Lasco's and Pullain's foreign church organisations in England, and possibly partly in Lambert's proposed Church polity, for the Scottish Church gave even wider powers into the hands of the Church members, than did that of a'Lasco or of Pullain.

The restrictive enactments of the period from 1574-92 ceded the right of the congregation to elect its own minister to the Presbytery and the lay patron, and infringed the principle of the parity of office-bearers, in favour of ministers and elders, against the deacons. Yet even these restrictions left untouched the original congregational rights in the elections of elders and deacons. While the body of the congregation enjoyed the right to nominate from among themselves candidates for the eldership and diaconate, in addition to those nominated by the Consistory, and the right of actual choice and election among all the candidates nominated, it was impossible for the Church courts to degenerate into tyrannical close corporations, prone to introduce clerical bureaucracy once more into the Church.

The constitution embodying these essential rights was legally secured to the reformed church in 1592.[1] In Geneva, Presbytery might be only priest writ large, but in Scotland the constitutional remedy for such a state of ecclesiastical administration lay ever ready in the hands of the Church members themselves.

In less important matters, however, the influence of Switzerland, and especially of Geneva, has been found to be marked.

The most prominent influence from Geneva—through the example of the Genevan relations between Church and State—constituted a menace to Scottish Presbyterianism, in so far

[1] *Acts Parl. Scot.*, vol. iii. pp. 541-47.

as it led the Scottish reformers to make demands on the State for support and protection, which were impracticable in the political circumstances of the sixteenth century in Scotland. Only if the Presbyterian form of the Scottish polity were sacrificed by the adoption of episcopacy, could the Scottish executive have agreed to fulfil the demands of the reformers.

The office of the Knoxian superintendent was found to have been suggested, possibly by the examples of Lambert and a'Lasco, but more probably by that of the Swiss "Visitors," supplemented by that of the English touring preachers under Edward the Sixth; while the minor office of the Scottish "visitor" of 1592 was clearly an importation from Geneva.

In the later years of the Reformation period other evidence was found of a retrogressive Genevan influence, tending to reduce the share of the laity in the work of the General Assembly, the control of the congregations over the elders, and the participation of the elders in the exercise of ecclesiastical discipline.

As furnishing illustrations of the basic principles on which the Presbyterian constitution of the Scottish Church was founded, the Church polities of a'Lasco and Pullain, and possibly that of Francis Lambert, must be regarded as fundamentally even more important sources, in relation to the Scottish polity, than that of France.

Although neither Knox nor any other Scottish reformer has acknowledged the debt that Scottish Presbyterianism owes to a'Lasco, indirect internal evidence, both constitutional and liturgical, is overwhelmingly in favour of the validity of that debt.

The point of contact between Knox and Pullain is supplied by the English refugee congregation in Frankfort.

Direct proof of any kind that Knox had studied Lambert's constitution of 1526 is lacking, and even the probability is not convincing. The internal evidence of Hessian influence in the Scottish polity itself is made uncertain by the prevailing and similar influence of a'Lasco. At the same time it is clear that,

in the election of office-bearers, Knox went as far towards Lambert's fundamental position as it was possible to go, if he was at the same time to make use of the Presbyterian eldership, and certainly further than might be expected in a mere follower of a'Lasco. A number of points have been mentioned, which are very suggestive of a direct acquaintance on the part of the Scottish reformers with the Hessian constitution itself—the composition and early functions of the General Assembly, the earlier activities assigned to the Church of the Synodal City, the appointment, activities, functions, and censure of the superintendents, as well as the principles of the congregational election of parish ministers. One detail of later date bears a striking resemblance to a detail of the Hessian constitution. The assessors of the General Assembly, who after 1578 were to assist the Moderator to arrange and despatch Assembly business,[1] have their only ecclesiastical parallel in the thirteen members of the Hessian Yearly Synod, to be elected annually to serve in the same capacity.[2] It has been pointed out that Lambert's constitution might have become known in Scotland through Patrick Hamilton as well as through Knox. But, as all the internal evidence which can be produced is of the merest circumstantial type, direct connection between the Scottish and the Hessian constitutions remains a possibility only.

A'Lasco, in the Preface to his published Church polity of 1555, claimed the Genevan and Pullain's Churches as his models.[3] In studying the Scottish, Pullain's, and a'Lasco's Churches together, it has become clear that they all had much more in common with the principles and institutions of Lambert's Hessian constitution than with the polity of Geneva. Evidence of direct connection between a'Lasco and Lambert has not yet been forthcoming.[4] But there is some possibility of their having

[1] *Acts of the General Assembly*, vol. i. p. 392 ; vol. ii. p. 449.

[2] Richter's *Evangelischen Kirchenordnungen des XVI^n Jahrhunderts*, vol. ii. pp. 64-65.

[3] Kuyper's *Johannis a'Lasco Opera*, vol. ii. p. 50.

[4] Dalton's *John a'Lasco* does not suggest that they either met or had heard of one another.

met personally on the continent. Lambert was in Bâle and other Swiss cities in 1522, discussing reform with Farel and others.[1] A'Lasco was there, and in other parts thereabout, in 1523, and again in 1524 and 1525, also discussing reform with Swiss leaders.[2] On the other hand, a personal connection between Knox and Lambert was made impossible by Lambert's death in 1530.

Varied as were the foreign sources from which the Scottish reformers drew, in building up their sixteenth-century polity, one great debt modern Presbyterianism owes to the Scottish Church itself. It was in Scotland that the opportunity first occurred for testing Presbyterian institutions by applying them in the government of a national Church. It was there that Presbyterianism vindicated its claim to be a practically efficient form of Church government in the political conditions of the modern centralised state. There the lack of cohesion among the parts of the earlier Presbyterian constitutions was remedied. At first the remedy tried was an adaptation of the Protestant office of visitor or superintendent, to secure more efficient local administration in the national Church. In the course of some years, it became apparent, that if the superintendents were to exercise powers sufficiently wide to enable them to perform this function efficiently, then their office was incompatible with the Presbyterian principle of the parity of ministers. It rested with the Scottish Church to prove to ecclesiastical Europe that Presbyterianism was, in spite of this temporary administrative weakness, as workable a national Church constitution, as the episcopalian type of polity had long proved itself to be. So much had ten years' training in Presbyterian self-governing communities done for the Scottish Protestants, that they were ready to grasp the realities of the situation, and to avert the pressing danger of the subversion of their constitution—and this in spite of constant and insidious opposition to their task

[1] Richter's *Evangelischen Kirchenordnungen des XVI^n Jahrhunderts*, p. 56.

[2] Hermann Dalton's *Johann a'Lasco*.

on the part of the constituted authorities of the land. By considering the courts already working in Presbyterian organisations abroad, in the light of their own experience of Church administration, the Scottish Protestants originated the new administrative machinery of the Presbytery. The institution of this court was the copestone in the Presbyterian fabric, making it possible for the Church to combine congregational freedom and initiative, with efficient central and local organisation on a national scale. The achievement of this feat was a singular proof of the vitality of the Knoxian Church, and completely justified the enthusiasm of Calvin, a'Lasco, Knox, and Melville for the Presbyterian form of Church polity.

APPENDIX

(*Note to p.* 15)

MITCHELL, in a note on George Wishart in his edition of *The Gude and Godlie Ballatis*, stated that Wishart "formed Kirks or Congregations at least in Montrose and Dundee," and supposes "that some forms of discipline began to be put in practice in the Dundee Congregation."

M'Ewen, in his *History of the Church of Scotland*, vol. ii. p. 74, wrote: "Attempts to revive the New Testament eldership had been frequent among the reformers both in Germany and in Switzerland years before the publication of Calvin's Institutes, and it is probable that they were reflected in the 'Churches' which arose in the Dundee neighbourhood during the ministry of George Wishart."

In vol. i. p. 476-77 he stated: "His (George Wishart's) adherents at Montrose, Dundee, and probably elsewhere met as congregations and received the supper from him in both kinds, with singing of hymns and metrical psalms. . . . He was the first to see, or at least the first to show, that in Scotland the Reformation must be shaped into a separate Church."

The evidence on these points does not seem to be sufficiently conclusive to warrant statements so definite as the above.

The evidence in favour of the view, that Wishart organised congregations and dispensed the Protestant communion, seems to be the following:—

(1) Buchanan's *History of Scotland*, Pitscottie's *Chronicles*, and Spottiswoode's *History of the Church of Scotland*[1] relate how Wishart dispensed communion to the captain of St Andrews Castle and his friends in 1546.

(2) Knox refers to Wishart as going to Montrose "to salute the Kirk there."[2]

[1] Spottiswoode's *History of the Church of Scotland*, vol. i. p. 160.

[2] Knox's *History*, vol. i. p. 131.

(3) Knox does not speak of his own dispensing of Communion at St Andrews in 1547 explicitly as the first dispensing in Scotland.[1]

(4) Mitchell claims that Knox's Communion office of 1550 must have been derived from Wishart, because it contains passages translated from the office of the Church of Zurich, and from some German Offices.

In regard to these arguments it may be said :—

(1) *and* (3) Knox was more closely associated with Wishart in his mission than Buchanan, Pitscottie, or Spottiswoode, and therefore these three accounts are less reliable than Knox's, which does not mention any dispensing of communion.

(2) The use of this phrase, when writing the *History* about 1566, may have been an inadvertent anachronism ; and in any case cannot have a definite meaning attached to it.

(4) There were continental refugee preachers in England before 1550, through intercourse with whom Knox could have come across foreign communion offices ; and also it is quite possible that Wishart might have directed Knox's attention to foreign communion offices, which he had brought back with him from the continent, and yet not have taken so definite a step as to use any of them.

The evidence against Wishart's having formed organised Scottish congregations, and having dispensed the Protestant communion, is as follows :—

(*a*) At Wishart's trial, in dealing with his views on the Mass,[2] no accusation was made that he had dispensed a Protestant communion. If it had been possible to bring such an accusation, it seems scarcely credible that Beaton would have failed to accuse this layman of so heinous an offence, particularly as the lesser charge was made that he had preached without authority from the Church.[3]

[1] Knox's *History*, vol. i. pp. 201-2. [2] *Ibid.*, vol. i. pp. 156, 158-59, 166.
[3] *Ibid.*, vol. i. p. 154.

(*b*) Knox's detailed account of Wishart's mission is the only one we have, which was written by one who took an active part in that mission. Hence his account should be preferred to every other. Knox gives us full accounts of Wishart's preaching in Montrose, Dundee, Ayrshire, and the Lothians, but nowhere does he mention dispensing of communion, or congregational organisation, except in the one phrase mentioned above.

(*c*) Row's *History*[1] agrees with that of Knox in making no mention of these two points.

(*d*) Knox, in declaring at St Andrews in 1547 that the Roman Church was anti-Christ, was regarded by those who heard him to be taking a definite stand in opposition to Rome, such as Wishart had never taken;[2] and it was only after this new stand of his had been recognised that he dispensed the Sacrament.

(*e*) Knox reports Wishart as saying to the people at his martyrdom: "I beseik yow, brethrene and sisteris, to exhorte your Prelattis to the learnying of the word of God, that thei at the least may be eschamed to do evill, and learne to do good; and yf thei will not converte thameselves from thare wicked errour, thare shall hastelie come upone thame the wrath of God, which thei sall not eschew."[3]

This quotation seems to show Wishart as still seeking for reform within the Roman Catholic Church.

The most reliable direct evidence, and the greater and more convincing part of the indirect evidence, seems to be against Dr Mitchell and Professor MacEwen, in making such definite claims as those quoted above, in regard to George Wishart's mission in Scotland.

[1] Row's *History of the Kirk of Scotland.*
[2] Knox's *History*, vol. i. p. 192.
[3] *Ibid.*, vol. i. p. 170.

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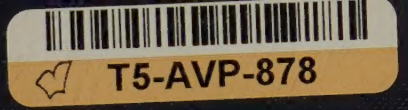
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